

In the matter of an appeal under section 78 of the Town and Country Planning Act 1990 by
Abacus Projects Limited/Deeley Freed Limited, relating to:

**LAND TO THE SOUTH OF WHITE ROCK ADJACENT TO BRIXHAM ROAD
AKA INGLEWOOD PAIGNTON, TQ4 7BQ**

**POSITION STATEMEN ON:
LAND SUPPLY**

BRIXHAM TOWN COUNCIL [RULE 6 PARTY]

1. Background

1.1 The Rule 6 Party takes 3 issues with the position of the main parties in the following areas:

1. the housing requirement is inflated as the only conclusion of the overdue Local Plan review would be to reduce housing requirements in line with the reductions in net new job creation;
2. the housing supply is suppressed as the Council has been overly restrictive in failing to account for all deliverable sites, in particular those which it is responsible for delivering; and
3. even if a Torbay wide housing shortfall exists, such a large development in this sensitive areas is an inappropriate solution.

2. Inflated housing requirement

2.1 The housing requirement is currently set by the Torbay Local Plan, adopted in 2015.

2.2 The intention was to achieve what the Council describes as a “step change” in the local economy and to link this with an appropriate level of growth in the supply of

housing. However there were uncertainties the “step change” would be realised and accordingly the planned housing growth needed to be monitored and reviewed.

2.3 The following 3 complete paragraphs from the [Report of Keith Holland from December 2014](#) succinctly capture the issue:

- 25. *Unsurprisingly, given the recent past, a number of those making representations do not believe that the Council’s economic ambitions will be realised. At its most extreme the view is that there has been no job growth in the recent past and that there is no prospect of net new jobs in the foreseeable future. The argument is advanced that rather than promoting economic development, the SDLR will turn Torbay into a dormitory area for Plymouth and Exeter. Others, including the Neighbourhood Forum Groups, while agreeing about the importance of seeking economic recovery, argue that there is a danger that more homes will be built than the area needs or can be justified on the basis of job creation. These people want what they describe as a “jobs led” strategy in which housing will follow job creation.*
- 41. *Detailed monitoring and review are important considerations in the development plan process and the Council is committed to regular reviews of the Plan. There will be ample opportunity to increase housing numbers if justified by jobs growth. Alternatively it may be necessary to reduce housing numbers over the plan period if the Council’s jobs growth strategy is less successful than is hoped. At the present it is regarded as sensible and pragmatic to plan for 8,900 additional dwellings over the plan period.*
- A21. *The Council has quite rightly stressed that it will monitor the situation carefully and will revise the Plan as and when necessary. Monitoring of plans is always important but especially so in Torbay where there is a high degree of volatility and uncertainty about critical factors such as job creation and migration trends. The development plan system provides for a considerable degree of flexibility to allow for uncertainties and changing circumstances. The Council is currently thinking in terms of 5 yearly reviews of the plan. Given the importance of the “tandem” approach to jobs/homes and the reliance that the Council is placing on Neighbourhood Plans it is important that the Council adopts a flexible and highly responsive approach which will allow for reviews whenever necessary. This type of approach may give some comfort to those who fear that the Council’s “tandem” approach to homes/jobs will not be successful.*

- 2.4 The Torbay Local Plan period runs 2012 to 2030. Nomis state the number of jobs in Torbay as at 2012 to be 59,000¹. Nomis also state the number of jobs as in Torbay as at 2018 to be 57,000. Accordingly, in the time since adoption of the plan, jobs in Torbay appear to have fallen. It is noted that this is a worse outcome than the “extreme” view identified by Inspector Holland, where jobs merely remained static.
- 2.5 The disruption caused by the Covid 19 pandemic in terms of its effect on reductions in demand levels across the economy generally and specifically in sectors which dominate the local Torbay economy, means actual jobs in Torbay will indisputably have fallen below the Nomis 2018 figures by the time of the hearing.
- 2.6 It is unclear why the Local Plan review has not commenced. However, when considering the delivery of jobs against the strategy in the adopted plan there can only be one conclusion.

3. Suppressed housing supply

- 3.1 The housing supply position set out by Torbay Council does not include land at Victoria Square, Preston Down Road or (to the full extent) Collaton St Mary.
- 3.2 However, Torbay Council was awarded some £4.0m by government to bring these sites forward.
- 3.3 It is further understood that Torbay Council has made representations to HM Government stating that it is making good progress in delivering them.
- 3.4 [Contract documents on the OUEJ website](#) show the Council has launched a tender for a partner to deliver 350 homes at Collaton St Mary and 135 homes at Preston Down Road within the next 5 years.
- 3.5 While the [extensive marketing material to support the tender process](#) notes that Preston Down Road is “identified” rather than “allocated” in the local plan overall the only reasonable conclusion from considering the material is that the delivery of the site is supported by Torbay Council as a corporate body and according the local planning authority.
- 3.6 It is unclear why these sites have not been included in the land supply. However, the Council has confirmed at both Officer and Elected Councillor level that it wishes to deliver housing on its own land. Clearly, not doing so would have repercussions on the Council’s success in obtaining other central government funding on other projects in the future.

¹ https://www.nomisweb.co.uk/reports/lmp/la/1946157356/subreports/id_time_series/report.aspx?

4. Inappropriate solution

- 4.1 Of the 3 neighbourhood plan areas the Brixham Peninsula is the most constrained by way of both ecology and infrastructure.
- 4.2 However despite these difficulties the Brixham Peninsula has maintained a positive approach to development: allocating more homes than set out in the spatial distribution in the Local Plan; working with developers through the Neighbourhood Forum process; and securing neighbourhood area delivery rates which are the best in Torbay.
- 4.3 Therefore, even if a Torbay wide housing shortfall exists, and it is not accepted one does, such a large allocation of housing towards the Brixham Peninsula area is an inappropriate solution.
- 4.4 The Brixham Peninsula Neighbourhood Plan provides a policy framework which seeks to direct development away from the most sensitive areas and towards sustainable locations which will have the least impact on the characteristics which make the area special. Not only can this be seen through the specific environmental and landscape policies set out in detail elsewhere, but it can be seen in Policy BH9: Exception Sites. It is of note that in this policy no development within a Settlement Gap would be policy compliant, but minor development in an AONB could be policy compliant. This highlights the importance of the Policy E3.
- 4.5 In addition to the specific allocation of sites in the Neighbourhood Plan, the Housing Site Assessment provides detail on those sites which were rejected at allocation stage so as to signpost those which are the most promising for future development and/or which would already have been allocated should housing requirements dictate a lower threshold for regards environmental and other safeguards. It can clearly be seen from the Housing Site Assessment that, for example, the site referred to as H3 – R11: Pilgrim's Friend Land ("Archery Field") is highlighted for potential development as an exception site whereas the H3 – R7: White Rock Extensions site, which includes the land which is the subject of the current proposals, is not.
- 4.6 Therefore, even if it is appropriate that the Brixham Peninsula area takes such a large allocation of housing to make up for a Torbay wide housing shortfall, this particular site is an inappropriate choice.

- 4.7 Indeed, this development threatens delivery of the planned regeneration of Brixham and community trust and engagement in the planning system, particularly at the Neighbourhood Plan level.
- 4.8 Should it proceed, how can the Forum encourage developers to engage with the community at neighbourhood plan making stage or indeed how can the Forum encourage the many volunteers to become involved in plan making in the first place. Other than producing an obsolete historical document, what will the efforts of previous volunteers have achieved?



RESPONSE TO LAND SUPPLY CONSULTATION 2020

Brixham CP wishes to make representations under two headings. These comments coincide with those made by Brixham Peninsula Neighbourhood Forum under the banner of Brixham Town Council because those comments were co-authored by persons serving both organisations.

1. Inflated housing requirement

- 1.1 The housing requirement is currently set by the Torbay Local Plan, adopted in 2015.
- 1.2 The intention was to achieve what the Council describes as a “step change” in the local economy and to link this with an appropriate level of growth in the supply of housing. However there were uncertainties the “step change” would be realised and accordingly the planned housing growth needed to be monitored and reviewed.
- 1.3 The following 3 complete paragraphs from the [Report of Keith Holland from December 2014](#) succinctly capture the issue:

25. *Unsurprisingly, given the recent past, a number of those making representations do not believe that the Council’s economic ambitions will be realised. At its most extreme the view is that there has been no job growth in the recent past and that there is no prospect of net new jobs in the foreseeable future. The argument is advanced that rather than promoting economic development, the SDLR will turn Torbay into a dormitory area for Plymouth and Exeter. Others, including the Neighbourhood Forum Groups, while agreeing about the importance of seeking economic recovery, argue that there is a danger that more homes will be built than the area needs or can be justified on the basis of job creation. These people want what they describe as a “jobs led” strategy in which housing will follow job creation.*

41. *Detailed monitoring and review are important considerations in the development plan process and the Council is committed to regular reviews of the Plan. There will be ample opportunity to increase housing numbers if justified by jobs growth. Alternatively it may be necessary to reduce housing numbers over the plan period if the*

Council's jobs growth strategy is less successful than is hoped. At the present it is regarded as sensible and pragmatic to plan for 8,900 additional dwellings over the plan period.

A21. *The Council has quite rightly stressed that it will monitor the situation carefully and will revise the Plan as and when necessary. Monitoring of plans is always important but especially so in Torbay where there is a high degree of volatility and uncertainty about critical factors such as job creation and migration trends. The development plan system provides for a considerable degree of flexibility to allow for uncertainties and changing circumstances. The Council is currently thinking in terms of 5 yearly reviews of the plan. Given the importance of the "tandem" approach to jobs/homes and the reliance that the Council is placing on Neighbourhood Plans it is important that the Council adopts a flexible and highly responsive approach which will allow for reviews whenever necessary. This type of approach may give some comfort to those who fear that the Council's "tandem" approach to homes/jobs will not be successful.*

- 1.4 The Torbay Local Plan period runs 2012 to 2030. Nomis state the number of jobs in Torbay as at 2012 to be 59,000¹. Nomis also state the number of jobs as in Torbay as at 2018 to be 57,000. Accordingly, in the time since adoption of the plan, jobs in Torbay appear to have fallen. It is noted that this is a worse outcome than the "extreme" view identified by Inspector Holland, where jobs merely remained static.
- 1.5 The disruption caused by the Covid 19 pandemic in terms of its effect on reductions in demand levels across the economy generally and specifically in sectors which dominate the local Torbay economy, means actual jobs in Torbay will indisputably have fallen below the Nomis 2018 figures by the time of the hearing.
- 1.6 It is unclear why the Local Plan review has not commenced. However, when considering the delivery of jobs against the strategy in the adopted plan there can only be one conclusion.

2. Suppressed housing supply

- 2.1 The housing supply position set out by Torbay Council does not include land at Victoria Square, Preston Down Road or (to the full extent) Collaton St Mary.

¹ https://www.nomisweb.co.uk/reports/lmp/la/1946157356/subreports/id_time_series/report.aspx?

- 2.2 However, Torbay Council was awarded some £4.0m by government to bring these sites forward.
- 2.3 It is further understood that Torbay Council has made representations to HM Government stating that it is making good progress in delivering them.
- 2.4 [Contract documents on the OUEJ website](#) show the Council has launched a tender for a partner to deliver 350 homes at Collaton St Mary and 135 homes at Preston Down Road within the next 5 years.
- 2.5 While the [extensive marketing material to support the tender process](#) notes that Preston Down Road is “identified” rather than “allocated” in the local plan overall the only reasonable conclusion from considering the material is that the delivery of the site is supported by Torbay Council as a corporate body and according the local planning authority.
- 2.6 It is unclear why these sites have not been included in the land supply. However, the Council has confirmed at both Officer and Elected Councillor level that it wishes to deliver housing on its own land. Clearly, not doing so would have repercussions on the Council’s success in obtaining other central government funding on other projects in the future.

To put these comments into a Neighbourhood Forum Context, the Consultation Tables show by deduction that the 3- year land supply shortfall is 155 units/dwellings , a number which would appear to be achievable with the appropriate inclusion of sites listed under **1** above.

Friday, 05 June 2020



RESPONSE TO LAND SUPPLY CONSULTATION 2020

Churston Galmpton and Broadsands CP wishes to make representations under two headings. These comments coincide with those made by Brixham Peninsula Neighbourhood Forum under the banner of Brixham Town Council because those comments were co-authored by persons serving both organisations.

1. **Inflated housing requirement**

- 1.1 The housing requirement is currently set by the Torbay Local Plan, adopted in 2015.
- 1.2 The intention was to achieve what the Council describes as a “step change” in the local economy and to link this with an appropriate level of growth in the supply of housing. However there were uncertainties the “step change” would be realised and accordingly the planned housing growth needed to be monitored and reviewed.
- 1.3 The following 3 complete paragraphs from the [Report of Keith Holland from December 2014](#) succinctly capture the issue:

- 25. *Unsurprisingly, given the recent past, a number of those making representations do not believe that the Council's economic ambitions will be realised. At its most extreme the view is that there has been no job growth in the recent past and that there is no prospect of net new jobs in the foreseeable future. The argument is advanced that rather than promoting economic development, the SDLR will turn Torbay into a dormitory area for Plymouth and Exeter. Others, including the Neighbourhood Forum Groups, while agreeing about the importance of seeking economic recovery, argue that there is a danger that more homes will be built than the area needs or can be justified on the basis of job creation. These people want what they describe as a “jobs led” strategy in which housing will follow job creation.*
- 41. *Detailed monitoring and review are important considerations in the development plan process and the Council is committed to regular reviews of the Plan. There will be ample opportunity to increase*

housing numbers if justified by jobs growth. Alternatively it may be necessary to reduce housing numbers over the plan period if the Council's jobs growth strategy is less successful than is hoped. At the present it is regarded as sensible and pragmatic to plan for 8,900 additional dwellings over the plan period.

A21. The Council has quite rightly stressed that it will monitor the situation carefully and will revise the Plan as and when necessary. Monitoring of plans is always important but especially so in Torbay where there is a high degree of volatility and uncertainty about critical factors such as job creation and migration trends. The development plan system provides for a considerable degree of flexibility to allow for uncertainties and changing circumstances. The Council is currently thinking in terms of 5 yearly reviews of the plan. Given the importance of the "tandem" approach to jobs/homes and the reliance that the Council is placing on Neighbourhood Plans it is important that the Council adopts a flexible and highly responsive approach which will allow for reviews whenever necessary. This type of approach may give some comfort to those who fear that the Council's "tandem" approach to homes/jobs will not be successful.

- 1.4 The Torbay Local Plan period runs 2012 to 2030. Nomis state the number of jobs in Torbay as at 2012 to be 59,000¹. Nomis also state the number of jobs as in Torbay as at 2018 to be 57,000. Accordingly, in the time since adoption of the plan, jobs in Torbay appear to have fallen. It is noted that this is a worse outcome than the "extreme" view identified by Inspector Holland, where jobs merely remained static.
- 1.5 The disruption caused by the Covid 19 pandemic in terms of its effect on reductions in demand levels across the economy generally and specifically in sectors which dominate the local Torbay economy, means actual jobs in Torbay will indisputably have fallen below the Nomis 2018 figures by the time of the hearing.
- 1.6 It is unclear why the Local Plan review has not commenced. However, when considering the delivery of jobs against the strategy in the adopted plan there can only be one conclusion.

¹ https://www.nomisweb.co.uk/reports/lmp/la/1946157356/subreports/jd_time_series/report.aspx?

2. Suppressed housing supply

- 2.1 The housing supply position set out by Torbay Council does not include land at Victoria Square, Preston Down Road or (to the full extent) Collaton St Mary.
- 2.2 However, Torbay Council was awarded some £4.0m by government to bring these sites forward.
- 2.3 It is further understood that Torbay Council has made representations to HM Government stating that it is making good progress in delivering them.
- 2.4 [Contract documents on the OUEJ website](#) show the Council has launched a tender for a partner to deliver 350 homes at Collaton St Mary and 135 homes at Preston Down Road within the next 5 years.
- 2.5 While the [extensive marketing material to support the tender process](#) notes that Preston Down Road is “identified” rather than “allocated” in the local plan overall the only reasonable conclusion from considering the material is that the delivery of the site is supported by Torbay Council as a corporate body and according the local planning authority.
- 2.6 It is unclear why these sites have not been included in the land supply. However, the Council has confirmed at both Officer and Elected Councillor level that it wishes to deliver housing on its own land. Clearly, not doing so would have repercussions on the Council’s success in obtaining other central government funding on other projects in the future.

To put these comments into a Neighbourhood Forum Context, the Consultation Tables show by deduction that the 3- year land supply shortfall is 155 units/dwellings , a number which would appear to achievable with the appropriate inclusion of sites listed under **1** above.

Friday, 05 June 2020

TORQUAY NEIGHBOURHOOD PLAN FORUM

Representation on the draft 5 Year Land Supply consultation June 2020

The view from Torquay Neighbourhood Plan Forum (TNPF) is that the assessment of the 5 year land supply (5YLS) lacks precision and a reasonably professional assessment of deliverable sites. Further it lacks challenge where developers have suggested major development sites are not deliverable.

There is overwhelming evidence presented in the Neighbourhood Plans and in the 5YLS Consultation documents that the stagnant economy of Torbay is holding back housing growth not the availability of development sites. This situation is unlikely to change for some time based on current economic forecasts from Government.

There is also evidence that dismissing high profile developable sites supports the suggestion that officers are using the 5YLS assessment to undermine Torbay's development plan with a view to allowing development on greenfield and countryside sites ahead of the substantial bank of allocated brownfield sites, a direct challenge to the NPPF, the strategic policies of the current Local Plan and the policies of all three adopted Torbay Neighbourhood Plans.

The conclusion from this and the history of the making of the Torbay Neighbourhood Plans is a damning indictment of the Torbay Planning system.

The economy and its influence on deliverability and need

It is clear from the presented figures and analysis in the Torbay Housing Delivery Test Action Plan August 2019 that the reality of the underachievement of housing numbers has not been challenged and the real reasons identified. 'The housing market in Torbay has performed roughly half as well as the national average'. The TNPF believes that the economic performance of Torbay, notably the massive loss of jobs during the last 5 years from both the public sector and tourism (where there is no statistically significant increase in growth and a significant closure of hotels) has offset the provision of new jobs.

It is also notable that the Council has failed in its declared policy in the Local Plan to review the economic performance and net jobs growth figures to allow the provision for housing to be revised and adjusted on an annual basis.

'Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies'

The TNPF believes this has never been actioned and published and should have been integrated in to the allocated sites in the Neighbourhood Plans prior to referendum.

The TNPF was happy to accept and support the ambitious growth figures in the Local Plan and the equally ambitious housing need arising from those figures and we allocated – in good faith – all sites necessary to achieve that need plus a buffer of 10%. BUT, in the absence of the economic growth (there is little statistically significant variation in job figures since 2005 and the ONS stated figures are clearly out of date and estimates – by reason of rounding to the nearest 1000), the current and future prospects for the local housing need is significantly lower than the figures presented in the assessment of the 5YLS. Given the prospect of a recession arising from the Covid-19 pandemic and other possible factors, even this is likely to be optimistic.

The TNPF notes that there are a substantial number of empty houses - 1450 in 2019. This is a very large number that represents a significant addition to housing supply and should have been included in the housing numbers.

The TNPF finds it surprising that 'At 1st August 2019, there were a number of major applications awaiting determination' and 'Cumulatively these applications propose up to 1590 dwellings, and unlock land for several hundred more dwellings on sites allocated in the Local Plan.' The question is posed: why haven't these applications been fully recognised in the assessment?

The conclusion is that there is little or no economic justification for substantial building of homes as the economy in Torbay is at best stagnant.

Regeneration of Brownfield sites and exclusion of deliverable sites

The TNPF are also very concerned that Torquay has a massive regeneration requirement with many brownfield sites supporting the allocated sites in the TNP. It is apparent that major developers see greenfield sites as offering a better prospect for profit and are reluctant to develop brownfield sites due to costs and risk.

This is exemplified by the many major brownfield derelict and vacant sites around Torquay.

Hollicombe gasworks site is an example of a site ready for development (where a major developer has remediated a contaminated site) and now suggests the original scheme with planning permission for 185 flats is now 'unviable' despite the RICS viability now being on present day site value. The TNPF note the same developer is also seeking greenfield development opportunities in Torbay.

The TNPF are therefore concerned that developers are land banking and manipulating land supply figures to their advantage through the lack of 5YLS allowing indiscriminate development contrary to the development plan. The TNPF believes that officers have a duty to properly explore where there is evidence that it is not lack of development opportunity rather the economic facts of Torbay and the profits of developers; otherwise the provision of housing will not change.

'Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for

accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.'

The TPNF are also disturbed that potential major development sites such as the vacated Stoodley Knowle former school site and The derelict Bancourt Hotel (allocated in the TNP) have been dismissed when it is known by the community that the sites have a history of planning interaction and it would appear the lack of progress could be down to planning officer time and enthusiasm rather than deliverability within 5 years.

The largest concern for the TPNF on 5YLS sites is the omission of the Land Release Fund sites at Preston Down and Collaton St. Mary. We believe this is a major and peculiar error on top of many other issues we have with the analysis of land supply. The Cabinet has apparently made it clear that the sites are deliverable and financially viable and at a later stage of operational progression. We firmly believe their exclusion provides a clear indication that the officers involved in the 5YLS have failed to achieve a professionally robust report and that it appears to suggest that there is a wish to understate the figures to the detriment of the housing and land use policies within the Neighbourhood Plans.

Finally, the TPNF wish to remind Officers and the Council as a whole that the Localism Act 2011 and the subsequent Neighbourhood Planning Act 2017 empowered local communities to determine development policies and allocate development sites for their respective areas. Our successful Neighbourhood Plan Referendum just 1 year ago was after a process of supposedly parallel tracking with the development of the new Local Plan and in apparently 'open cooperation' with the LPA officers involved. It is therefore unsurprising that we are affronted that those same officers are undermining our allocated sites, aspirations and policies. Our position is that officers' primary focus should be to support the democratically made development plan and therefore assessment of potential development should start with the allocated sites and all those sites should be properly and professionally assessed to ensure any personal or institutional bias is replaced by rigorous professional assessment and challenge to developers both large and small (who are in a position to manipulate the system for their own means). The TPNF are of the opinion that the current culture within Planning and the relationship with, in particular, major developers does not provide either a system fit for purpose or is to best practice and therefore the end result is flawed.

Future Planning

From: Mills, Judith
Sent: 07 June 2020 17:12
To: Future Planning
Subject: 5 year land supply

To Spacial Planning.

Could you confirm please that the following areas have been included in the mathematics for our land supply?

Collation St Mary?

This has outline planning permission, in fact I believe the planning meeting is on the 8th June.

Preston Down Road?

This area has been identified as two developable housing sites in the Local Plan.

Victoria Square?

Housing in this area would revitalise Paignton Town Centre, especially with mixed use.

Blagdon Farm?

Has the allocation here been included?

Including all these sites must surely bring us above the three year land supply?

Was not Torbay Council awarded over £3 million by the Government to bring these sites forward? I even heard a rumour that Torbay Council had assured the Government that good progress was being made in delivering them?

Hoping to have a reply to my questions in the very near future.

Yours faithfully,

Judith Mills

Councillor Judith Mills

Churston with Galmpton Ward

Torbay Council

From: Kennedy, Karen
Sent: 21 May 2020 15:15
To: Luscombe, Adam ; Mowat, Kevin
Cc: Edmondson, David ; All Councillors
Subject: RE: Five Year Land Supply

Hello Everyone

Firstly I would just like to point out that the letter Steve Darling sent to Robert Jenrick contains only one small element of the problem we have in Torbay. Here is my response to the consultation.

Our land supply problems only come in part from Central Government. This local authority plays a major part in our problems.

As Steve Darling pointed out, part of our problem from central government is that NPPF 2019 is considered by many to be overly restrictive government guidance, but the following problems fall very firmly at our own door.

Our Local Plan fails to take account the local environmental capacity of the area despite the government having stated in Planning Practice Guidance that it is up to local planning authorities to show lower figures apply to their areas if there are local and/or environmental constraints. And we have a number of environmental constraints in the Bay!

One constraint which is continually ignored is that any need for more housing in the Bay comes only from inward migration as our death rate exceeds our birth rate. During the census period 2001 to 2011 Torbay's resident population grew by only 1,400 (rounded) which equates to a housing need of just over 700 for the entire 10 years. Yet during the same period 5,000 houses were built in Torbay, a point which this local authority failed to include in the current Local Plan.

Torbay Council applied a 'policy on' approach to housing whereby the demographic need was artificially inflated as it was assumed a significant increase in the number of houses built would increase the number of jobs in the area. There has been no net growth in job numbers since 2012 yet the policy on approach continues. Torbay is now stuck with this artificially increased housing requirement until the next Local Plan is completed.

We have never fully resolved our capacity to physically fit the quantity of houses assumed to be required whilst making allowances for developers choosing to tactically not bring forward some sites in order to enhance their likelihood of getting consents on other sites.

With regard to sites omitted, there were misrepresentations within the original bid document to government as to the status of the two greenfield LRF sites which appear to have facilitated Torbay Council obtaining the award. This has resulted in the impossible situation we find ourselves in where we are not including the sites in the 5 year land supply due to the sites being deemed undeliverable with no planning application submitted whilst we tell MHCLG that we will be putting the 'shovel' in before 1 January next year and completing all houses before 2025.

Little Blagdon Farm was stated to deliver circa 350 houses yet we have only included 75 units in the 5 year land supply. This may be due to the site for which we have got planning permission only being a 'gateway' site to an area which is not allocated and has not had any application submitted.

Despite the obvious problem of having two departments within one Council in direct conflict, there has been no attempt to resolve this. I attach the MP letter I received regarding the 'deliverability' of sites which have been granted funding from Central Government.

I would also like to point out a very important aspect of this letter and that is, I quote, "neighbourhood plans become part of the development plan and are the STARTING point for decisions and have the same status as the local plan". This is something I continually fail to see in reports. More often than not the Local Plan is put first and I have seen some reports in which the Neighbourhood Plans are omitted altogether.

Until we get to grips with all these aspects we will continue to encounter unnecessary problems in the Bay, much of which will be contrary to the wishes of residents we are here to serve.

Regards

Karen Kennedy
Cllr Churston with Galmpton



Ministry of Housing,
Communities &
Local Government

Councillor Karen Kennedy
Torbay Council
Town Hall
Castle Circus
Torquay
TQ1 3DR

Luke Hall MP

Minister for Rough Sleeping and Housing

**Ministry of Housing, Communities and Local
Government**

Fry Building
2 Marsham Street
London
SW1P 4DF

Tel: 0303 444 3460

Email: luke.hall@communities.gov.uk

www.gov.uk/mhclg

Our Ref: 6240608

12th May 2020

Dear Cllr Kennedy,

Thank you for your email dated 18 March to the Rt Hon Robert Jenrick MP regarding 5 year land supply and neighbourhood plans in Torbay. I appreciate how important this matter is to you and I am grateful to you for contacting this department with your concerns. I have been asked to reply on behalf of the Secretary of State. Please accept my apologies for the delay in responding.

I very much hope you will understand that I cannot comment or rule on the facts of individual planning cases, because the role of our Secretary of State in the planning system imposes a strict duty of impartiality. It is for the local authority to apply the law, national or local planning policy to particular cases. I can however provide advice on general policy matters.

The purpose of the 5 year housing land supply is to provide an indication of whether there are sufficient sites available to meet the housing requirement set out in adopted strategic policies for the next 5 years. As set out in paragraph 73 of the National Planning Policy Framework, it is for local planning authorities to demonstrate the sites which can be considered 'deliverable' within the next 5 years in plan-making and decision-taking. Annex 2 of the Framework sets out a definition of what is considered deliverable, this sets out which sites are considered to be deliverable in principle, and sites which would require further evidence to be considered deliverable. Planning Practice Guidance sets out that when considering whether sites requiring more evidence can be deliverable, this evidence may include: firm progress being made towards the submission of an application; or clear relevant information about site viability, ownership constraints or infrastructure provision, such as successful participation in bids for large-scale infrastructure funding or other similar projects.

I recognise the significant time and effort communities in Torbay have put in to preparing their neighbourhood plans and it is a fantastic achievement that they have been endorsed at referendum and are now in place. Neighbourhood plans continue to have real statutory weight in the planning system. Once passed referendum, neighbourhood plans become part of the development plan and are the starting point for decisions and have the same status as the local plan for the area. The Framework is clear that where a planning application conflicts with an up-to-date neighbourhood plan (as part of the development plan), permission should not usually be granted.

Once again, I appreciate how important this matter is to you and I am grateful to you for writing in with your concerns.

LUKE HALL MP

Future Planning

From: Rainbow-Leaf Lovejoy
Sent: 08 June 2020 21:57
To: Future Planning
Subject: Torbay Five Year Housing Supply 2020 Consultation

To whom it may concern:

My contribution to this consultation entails endorsing the submission from Torquay Neighbourhood Plan Forum., and drawing additional attention to acknowledged assumptions and assertions in 1.4, 1.5, 2.1 and 2.2.

These paragraphs describe the very large areas of uncertainty regarding anticipations and estimations of actual future requirements for housing in Torbay, given 'unprecedented social and economic upheaval and uncertainty'.

They indicate that inexact and unscientific calculations of 5-year supply entail planning judgements are therefore going to be based on assumptions of the appropriateness of the status quo ante for precisely the deliverability factors that the more stringent deliverability criteria described in section 4 will apply to calculate Torbay's housing supply until December 2020, with a local plan housing trajectory due for review also by December 2020, when there is an option for downward revision, in line with TLP Inspector recommendations that reviews should adjust housing requirement numbers to reflect (lack of) employment prospects in terms of net new jobs in Torbay.

Given these huge areas of uncertainty, reconciling nationally more stringent deliverability criteria along with up to 40% uplift in remediating (or punishing) shortfalls, with the local emphasis in Torbay's neighbourhood plans on preferentially developing brownfield sites to help regenerate existing housing areas before approving greenfield sites for development, is likely to become more difficult in principle and in practice (4.4-5). Developers prefer greenfield sites, so these seem potentially more deliverable. Whether anyone but commuters or second-homers will actually be able to afford to purchase them, with all the implications for sustainable transport, is unclear.

Yet this is precisely the issue in deliverability market and build factors: if local people can't afford to purchase these houses because enough local employment does not exist or does not pay enough to make mortgages or even shared ownership affordable, who will be able to afford to buy or lease these houses - except other local authorities wanting to export their own deprived populations?

Meanwhile if Torbay allows greenfield sites to be developed, Torbay's main source of revenue via employment and expenditure, tourism, may be further damaged, with further damage to local incomes, both of households, and of the Torbay Council itself (and of course to developers if houses can't sell or mortgagees default).

If Torbay's 5-year housing supply adequacy depends on both projections of required numbers derived from assumptions of the current continuance of the status quo ante; predictions of deliverability derived from assertions about markets etc, there is a possibility that even greenfield sites may not be deliverable because not affordable.

The required 'next steps' and 'action plan' seem unclear from the statements in 6.1-2.

Hopefully they will involve an integrated policy for developing brownfield sites to provide both employment and regenerative housing, and to focus on really sustainable and resilient locally initiated and regenerative development.

Leaf Lovejoy

The Paignton Neighbourhood Forum seeks to work with the Torquay and Brixham Peninsula Neighbourhood Fora and with the Council and others with our documented aim:

*To make our town and surroundings more attractive to tourists and an outstanding place to live and work.
(Paignton Neighbourhood Plan, 4.6)*

In the spirit of cooperation and in furtherance of that aim, we offer suggestions and observations that are pertinent to any assessment of Torbay's five year housing supply position.

1. Only a 3-year land supply is needed because we have a current Local Plan that is co-extensive with our three Neighbourhood Plans. Associated with this consideration:
 - a. It is important that the Local Plan review is conducted as soon as possible and completed as originally scheduled by the end of December 2020. No evidence has been produced to show that a change of review date is necessary. A light touch review is all that should be necessary, especially as the Neighbourhood Plans were all recently adopted.
 - b. Another reason why the current Local Plan review does not need to be extensive and in-depth is given in the Planning Inspector's report to Torbay Council (12 Oct 15):

*The Council has quite rightly stressed that it will monitor the situation carefully and will revise the Plan as and when necessary. Monitoring of plans is always important but especially so in Torbay where there is a high degree of volatility and uncertainty about critical factors such as job creation and migration trends. The development plan system provides for a considerable degree of flexibility to allow for uncertainties and changing circumstances. The Council is currently thinking in terms of 5 yearly reviews of the plan. **Given the importance of the "tandem" approach to jobs/homes and the reliance that the Council is placing on Neighbourhood Plans it is important that the Council adopts a flexible and highly responsive approach which will allow for reviews whenever necessary.** This type of approach may give some comfort to those who fear that the Council's "tandem" approach to homes/jobs will not be successful. (Item 21 of Appendix 2, emphasis added)*

Taking the Planning Inspector's comment (above) one step further, it is disappointing that the Local Planning Authority chose to disregard this advice and not to monitor the projected housing target figures on an annual adjustment basis. Had the process of review and adjustment been carried out on an annual basis, the lack of job creation would have meant that housing targets would necessarily have been adjusted downward. This action would, of course, have had a significant impact on the numbers entered into the formula for calculating the current housing supply need in Torbay.

- c. The Council has also acknowledged the importance of a timely review of the Local Plan, in the Torbay Housing Delivery Test Action Plan (August 2019) where it states:

... However there remains tension between the Government's policies of Localism and wishing to boost housing numbers. This will not be resolved until the Local Plan (adopted in December 2015) is reviewed. Accordingly the Local Plan Review is one of the priority actions identified in this document. (p.4)

See also 3.b.iii, below.

2. Developments that should have been included were omitted from the calculations. Inclusion of these developments will easily meet the requirements for a 3 year land supply.

It is important to include all developments that have a reasonable argument for inclusion. It would be wrong to exclude developments merely because they *might* be questioned or challenged. Any challenges can be addressed as and when they occur; often potential challenges will not arise. The term "realistic prospect" is sufficiently vague that a subjective decision must be made. The Council, Officers and Councillors, should ensure that all such subjective decisions are made in favour of Torbay meeting requirements. Any bias to the contrary benefits developers at the cost of Torbay's communities.

Furthermore, sites should not be excluded merely because developers have delayed the work. Developers can obtain approval and then choose to delay or stall work for many reasons. If any unscrupulous developers know that we will not include sites that they have stalled, they could stall strategically to pressure the Council to approve inappropriate sites and development plans.

The following sites are among those that should be included but are not. It is likely that there are additional developments that we have missed.

- a. Hollicombe gas works – 185 dwellings, P/2008/0114, Approved, brownfield
- b. All dwellings associated with Land Release Fund (LRF) sites – The Council has already stated that these will be developed in the timeframe. It would be a foolish inconsistency to exclude them as doing so would contradict the justification for LRF as stated to Council on 18 July 2019 (Council Meeting Agenda Item No 14, Section 1c, *"To facilitate the early release of these sites for residential development, thereby assisting the Council in meeting its 5-year residential land supply targets and helping to protect more sensitive sites from development."*). The number of dwellings should match the LRF application.
 - i. Little Blagdon Farm – 350 dwellings
 - ii. Preston Down Road – 150 dwellings (although the Local Plan restricts this development to 100 dwellings)
- c. With respect to under-completions, that is, dwellings that have not been delivered despite having planning approval, we need to ensure that while these are added to the housing requirement they are also added to the supply side, as part of "Box A" which includes development with detailed planning permission. It is not clear in the Council's statement that these are counted as part of the supply.
- d. It is not clear that an appropriate windfall allowance has been included in the calculations. Our calculations based on approved planning applications show windfalls across the bay to have produced new dwellings in recent years as follows:

Year (April-March)	Windfalls from applications specifying fewer than six new dwellings	Windfalls from applications specifying six or more new dwellings	Total number of new dwellings provided by windfalls
2017-18	151	294	445
2018-19	158	273	431
2019-20	128	426	554

3. Torbay should not accept and use the standard calculations for housing supply requirements. Exceptional circumstances apply in our case:
 - a. Geographically we are unable to spread development across 360°. Except for brownfield sites, we are limited to developing to the west, for the most part. (See Figure 1)
 - b. Torbay has not seen any increase in jobs, and our Local Plan, as well as the three Neighbourhood Plans, all require that housing development must be linked to an increase in jobs in the area.
 - i. Working age population has not increased, remaining at 77,000, according to Office for National Statistics (ONS) data.
 - ii. According to the ONS, the number of jobs in Torbay was 58,000 in 2015; as of December 2019, it was estimated that there were 57,000 jobs in Torbay. The number of jobs has not increased; instead it has decreased somewhat. This net reduction has occurred despite the development of the South Devon Link Road which, according to the Torbay Development Agency (TDA) was “expected to lead to the creation of nearly 8,000 jobs, nearly 3,600 of them in Torbay” (<http://www.torbaydevelopmentagency.co.uk/projects/regeneration/south-devon-link-road>).
 - iii. The Torbay Delivery Test Action Plan states that although the Council has not yet challenged the application of standard methodology to determining new housing levels that are inconsistent with local growth, it “will consider options through the Local Plan Review” (p.15, 2.5.1). The Action Plan notes that the Neighbourhood Plans challenge the need for excessive housing development in our area with stagnant job growth.
 - iv. The impact of the coronavirus on tourism and related businesses is likely to result in a further decrease in jobs in our area.

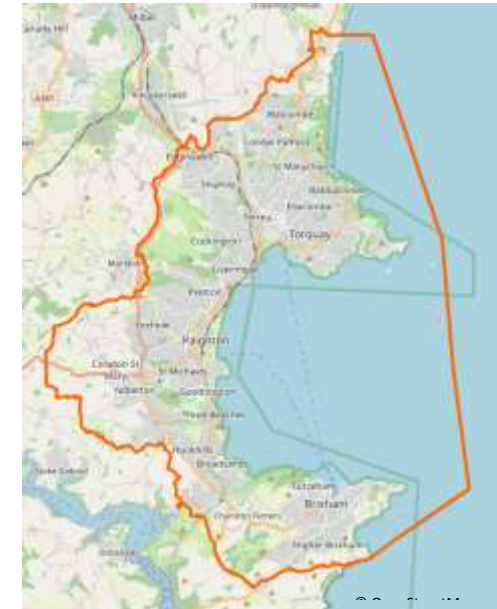


Figure 1. Torbay's boundary.

- v. Thus, with the observed small decrease in jobs, the anticipated additional loss of jobs this year, and the well documented link between jobs and house building in the local Plan and the three Neighbourhood Plans, no increase in housing supply is justified.
- c. House prices in Torbay are substantially lower than those in England (excluding London), in the South West, and in Teignbridge, as a comparator authority, as illustrated in Figure 2.

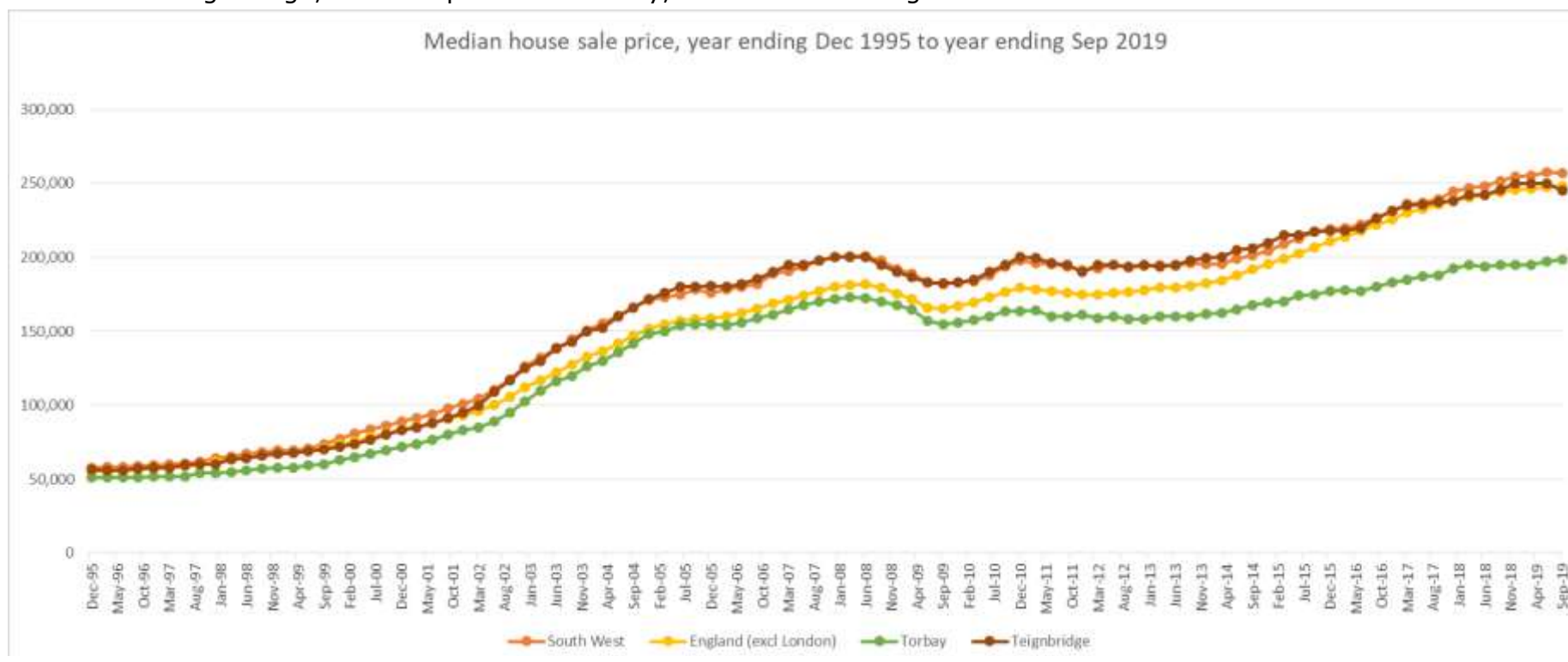


Figure 2. Data are from The Office for National Statistics (ONS). All housing types are included.

These data support the argument that Torbay already has an excess of housing in general, as evidenced by the low house prices.

These low prices also encourage developers to obtain planning permission but then to delay building and/or to submit post-approval a business case that they cannot afford to provide affordable or social housing, because the prices are too low for the project to be viable from a business standpoint. Thus, our need for affordable and social housing continues to be under-served by approved development sites, as noted in the Torbay Housing Strategy: "The 30% requirement for affordable housing on certain sites, set out in the Local Plan and the Planning Contributions and Affordable Housing Supplementary Planning Document is not always achievable due to viability . . ."

- d. The excess housing is also harming the social demographic of Torbay. The 2011 census showed that more than 4,000 more people commute away from Torbay (12,977) than commute toward it (8,591) for employment. A thriving community cannot afford to provide housing for people without a stake in the community, especially when it cannot provide housing for the people in the community.
- e. The argument that Torbay already has a more than adequate supply of housing, excepting social and affordable housing, is further supported by the number of dwellings for sale in Torbay. Rightmove lists over 1500 dwellings for sale at this time. Of these, almost 400 Torbay dwellings were added to Rightmove more than six months ago and of these, more than 100 were added more than 12 months ago. These data suggest a surfeit of housing and a lack of buyers.
- f. Torbay leads the area in the number of unoccupied and long-term unoccupied homes. Last July, Torbay had 1,303 dwellings that were unoccupied for more than six months, according to Devon Live (31 July 2019). This number was almost double that for Plymouth, the second-worst area in Devon for unoccupied housing. They calculated that in Torbay 19.7 of every 1,000 homes were unoccupied – almost 2%.
- g. The Torbay Housing Strategy also notes that poverty in our area has increased and that the need for housing in Torbay is primarily for social and affordable housing. Referring to the Indices of Multiple Deprivation from 2019 data with respect to Torbay: ". . . the measures related to housing show declining affordability of both rented and owner occupied housing in relation to average incomes, an increase in overcrowding and an increase in homelessness."

In summary:

It is essential that Torbay should provide the housing that is needed and should avoid development of housing that is neither needed nor suitable for our community. Thus, the Council must demonstrate that Torbay is adequately meeting the need for housing in our area.

We have suggested two ways to demonstrate an adequate three-year housing supply:

- Completely count the housing that is planned and deliverable – whether or not it will actually be delivered.
- Clearly specify the exceptional circumstances that make the standard calculation inappropriate for Torbay and apply to use alternative, appropriate, housing plans – plans that, consistent with the Torbay Housing Strategy adopted 27 Feb 2020, focus heavily on social and affordable housing for local people. These circumstances include:
 - Geography
 - Lack of jobs and attendant requirement that additional housing is linked to additional jobs.
 - Overabundance of housing evidenced by housing costs, houses for sale, and long-term empty homes.
 - A well-documented and clearly acknowledged need for affordable and social housing that is far greater than the need for additional commercial housing.

Future Planning

From: James Matcham (Linden Homes) [REDACTED]
Sent: 08 June 2020 16:54
To: Future Planning
Cc: Fiona Milden [REDACTED]
Subject: Torbay Five Year Housing Supply 2020 Consultation - Vistry Homes
Attachments: Site Plan - Lower Yalberton Farm (08.06.2020).jpg

FAO Spatial Planning Team

Torbay Five Year Housing Supply 2020 Consultation – Vistry Homes

Firstly, thank you for providing an opportunity for Vistry to comment on the above consultation.

Having now had the opportunity to review the recently published five year land supply statement, it is clear that the Council are in a challenging position with a significant shortfall envisaged over the next five year period. This will only be exacerbated by the impact of Covid-19 on the housebuilding industry and the associated knock on effect to production since Lockdown measures were introduced in March 2020.

Furthermore, we anticipate that this position is likely to deteriorate further once the current Local Plan becomes five years old in December 2020 and the Standard Method is applied to calculating the Local Housing Need figure. We therefore reserve our right to provide further comment on the Council's land supply and how this may change from December 2020 onwards.

We also note that this statement confirms that only 188 completions were recorded for the 2019/2020 reporting period, significantly below the current annual requirement (495 dwellings per annum). Whilst the most recent Housing Delivery Test results concluded that Torbay delivered 93% of the expected requirement (2019 Measurement – published Feb 2020), the significant drop off in delivery during 2019/20 combined with an increase in the rolling 3 year requirement suggests that the delivery figure will drop below 85% triggering a 20% buffer.

On this basis, we consider that there is an urgent need for the Council to release more sites and allocate additional land for housing through the forthcoming Local Plan Review.

Vistry remain committed to developing in Torbay and we continue to build out our existing development at White Rock under our Linden Homes brand. Whilst the current pandemic has temporarily slowed the pace of construction on many of our sites, we anticipate that the levels of completion at White Rock align with the assumptions set out in the Council's Housing Monitoring Tables.

We are also committed to long term strategic growth in Torbay and have recently agreed terms on strategic land at Lower Yalberton Farm [REDACTED]. I have enclosed a plan which shows Lower Yalberton Farm (edged in red) set within the wider local context of consented schemes at Fusion (Cavanna) and Yannons Farm (BDW Trading).

This land has previously been considered in the Council's SHELAA in 2013 (Site Reference: - T768 & T771) and you will also be aware that a submission was made by Marcel Venn (agent) on behalf of the landowner in February 2020.

Whilst we appreciate that the Council's Local Plan Review is at a very early stage, we would welcome an opportunity to meet with officers to discuss this site and the potential for an early release.

I would be grateful if you could acknowledge safe receipt of this submission by return and I look forward to discussing this with officers in due course.

Best regards,

James

James Matcham
Regional Director
Strategic Land

Vistry Group
Linden Homes South | 1A Guildford Business Park
Guildford | Surrey | GU2 8XG

Vistry Group

This email is confidential and may be legally privileged. If you are not the intended recipient of this email and its attachments you must not copy, distribute, disclose or use them for any purpose. If you have received this email in error, please notify postmaster@vistrygroup.co.uk and delete all copies from your system. Email communications cannot be guaranteed to be secure or free from error or viruses. Vistry Group accepts no liability for any loss or damage which may be caused by viruses. Opinions, conclusions and other information within this email unrelated to the business of Vistry Group are the responsibility of the individual sender. Vistry Group PLC is registered in England and Wales with registered number 306718. Bovis Homes Limited is registered in England and Wales with registered number 306718. The registered office is 11 Tower View, Kings Hill, West Malling, Kent, ME19 4UY. You can view a copy of our privacy policy: <https://www.vistrygroup.co.uk/site-services/privacy/>

Future Planning

From: Elliot Jones [REDACTED]
Sent: 05 June 2020 15:31
To: Pickhaver, David; Kunaszkievicz, Zdzislawa; Future Planning
Subject: Torbay 5 Year Housing Land Supply Consultation - Edginswell, Torquay

Dear Sirs/Madam,

Please find enclosed representations submitted on behalf of Cavanna Homes in respect of their interest in the land at Edginswell, Torquay.

On their behalf, we have reviewed the Torbay Five Year Housing Supply 2020 – Consultation Draft. We concur with many of the comments and assertions made by the draft. It is clear that the Council cannot demonstrate a five year supply of deliverable housing sites and the figure of 2.77 years is considered to be a fair estimate of the current supply rates meaning that there is an overwhelming requirement to provide for new homes within Torbay.

We support the Council's approach that the most appropriate course in calculating future supply at present is to assume a *status quo ante* situation with regard to market conditions, supply chains and builder's ability to re-start construction. Given the unique circumstances that have been presented by the coronavirus, this is considered to be the most sensible approach and, to introduce different assumptions at this stage, when so many matters remain unknown, could inaccurately effect the results and provide a false indication of the housing land supply. Such influences will be known in much greater detail in next year's survey and, it is at that point, that such assumptions should be made; not now when we are still in the middle of the pandemic.

In regard to the other elements of the Five Year Housing Land Supply calculations, we would agree that the 'Sedgefield approach' to calculating the shortfall in housing land supply is correct and should be adopted in this instance. Whilst it is accepted that this will place more emphasis on the presumption in favour of sustainable development as set out in the NPPF and that there is a need to update the Action Plan, this is correct given the need to improve the level of housing supply with Torbay and to ensure that the affordability ratios in the administrative area are reduced.

Turning to the land at Edginswell, it has been under consideration for housing for a significant period. It was promoted successfully through the Local Plan process where the Inspector considered it an appropriate location for development and, as such, the site was allocated in Torbay Local Plan as part of the Future Growth Area under the premise of Policies SS1 and SDT 3.

Cavanna Homes is now progressing a hybrid planning application for the residential element of the Edginswell Future Growth Area. Work in connection with the application submission commenced in autumn/summer 2019 with discussions and meetings being held with Torbay Council Officers to discuss the various technical elements of the scheme. A Planning Performance Agreement has been signed between the two parties, which sets out a series of actions and a programme for the preparation and submission of the application. The signed version of the Agreement proposed a submission date of spring 2021. Whilst it is likely the Covid -19 restrictions will have caused a slight delay to this programme, it remains Cavanna Homes' intention to submit a hybrid application during the course of 2021.

In terms of other actions undertaken, these include detailed technical discussions between Cavanna Homes' consultant team, the Council and statutory undertakers. In addition, an Environmental Impact Assessment

Scoping Opinion Request has been submitted whilst an initial meeting with Local Councillors and the Neighbourhood Planning Forum has been held.

Given this, it is clear that the site would be classed as deliverable under the terms of NPPF and PPG. Firm progress has been made towards the submission of an application whilst all site assessment and relevant information is in the process of being prepared in support of the application.

In terms of the consultation, the site has been categorised as:

- B- Major Sites either allocated and/or on Brownfield Register and/or planning permissions submitted/approved with demonstrated intent shown and realistic prospect of delivery.

The schedule indicates that its yield will be 60 homes that will be delivered in the years 2023/24 and 2024/25 (20 in 2023/24 and 40 in 2024/25).

Given the above, Cavanna Homes considers that development may come forward more quickly than that suggested by the current trajectory and the tables accompanying the five year housing land supply should be amended as follows:

- 2022/23 – 15 units
- 2023/24 – 25 units
- 2024/25 – 35 units.

Accordingly, could we suggest that the following changes be made to the tables accompanying the Five year Housing Land Supply Consultation.

We trust the above meets your requirements and, if you have any further queries, please do not hesitate to contact me.

Kind regards,

Elliot Jones

Director, Head of Boyer Cardiff



W boyerplanning.co.uk

A Third Floor, Park House, Greyfriars Road, Cardiff, CF10 3AF



Boyer is proud to support Trussell Trust

Boyer's response to Coronavirus (COVID - 19)

Terms and Conditions

Registered Address: Crowthorne House, Nine Mile Ride, Wokingham, Berkshire, RG40 3GZ.
Registered in England 2529151.

To see full disclaimer that applies to this email please [click here](#).
To see our Standard Terms and Conditions of Contract please [click here](#).
At Boyer we take your data privacy seriously view our [privacy notice](#).

Future Planning

From: Elliot Jones [REDACTED]
Sent: 03 June 2020 14:17
To: Pickhaver, David; Kunaszkievicz, Zdzislawa; Future Planning
Cc: Claire Hambleton (Claire.Hambleton@bloorhomes.com)
Subject: Torbay Council 5 Year Housing Land Supply Consultation - Land North of Totnes Road, Collaton St Mary

Dear Sirs/Madam,

Please find enclosed representations submitted on behalf of Bloor Homes (South West) Limited in respect of their interest in the Land to the north of Totnes Road, Collaton St Mary, Paignton.

On their behalf, we have reviewed the Torbay Five Year Housing Supply 2020 – Consultation Draft. We concur with many of the comments and assertions made by the draft. It is clear that the Council cannot demonstrate a five year supply of deliverable housing sites and the figure of 2.77 is considered to be a fair estimate of the current supply rates meaning that there is an overwhelming requirement to provide for new homes within Torbay.

We support the Council's approach that the most appropriate course in calculating future supply at present is to assume a status quo ante situation with regard to market conditions, supply chains and builders abilities to re-start construction. Given the unique circumstances that have been presented by the coronavirus, this is considered to be the most sensible approach and, to introduce different assumptions at this stage, when so many matters remain unknown, could inaccurately effect the results and provide a false indication of the housing land supply. Such influences will be known in much greater detail in next year's survey and, it is at that point, that such assumptions should be made, not now when we are still in the middle of the pandemic.

In regard to the other elements of the Five Year Housing Land Supply calculations, we would agree that the 'Sedgefield approach' to calculation the shortfall in housing land supply is correct and should be adopted in this instance. Whilst it is accepted that this will place more emphasis on the presumption in favour of sustainable development as set out in the NPPF and the need to update the Action Plan, this is correct given the requirement to improve the level of housing supply within Torbay and to ensure that the affordability ratios are reduced.

Turning to the site, it has been under consideration for housing for a significant period. It was promoted successfully through the Local Plan process where the Inspector considered it an appropriate location for development and, as such, was allocated in Torbay Local Plan as part of the Future Growth Area under the premise of Policies SS1 and SDP 3.

Land north of Totnes Road is also the subject of an outline planning application for up to 100 dwellings, including affordable and market housing, associated landscaping, open space, drainage and highways infrastructure (App No: P/2019/0281). It is due to be determined at planning committee on 8th June. It has an Officer recommendation for approval. Bloor Homes and Council Officers have worked together closely to ensure all critical technical matters have been addressed such as highways, drainage and ecology/biodiversity.

Given this, it is clear that the site would be classed as deliverable under the terms of NPPF and PPG. Firm progress has been made towards the submission of an application whilst all site assessment and relevant information have been provided in support of the application.

In terms of the consultation, the site has been categorised as:

- B- Major Sites either allocated and/or on Brownfield Register and/or planning permissions submitted/approved with demonstrated intent shown and realistic prospect of delivery.

The schedule indicates that its yield will be 70 homes that will be delivered equally between the years 2023/24 and 2024/25 (35 dwellings per annum).

Bloor Homes suggest that the tables accompanying the five year housing land supply should be amended as follows:

- The outline planning application is for 100 homes and the five year housing land supply figures/table should reflect this;
- If a resolution to consent planning permission is secured at the June 2020 Planning Committee, Bloor Homes would seek to resolve the section 106 agreement quickly with the Council;
- In light of this, we would foresee the submission of Reserved Matters being made during 2021/22 with a start on site in 2022/23; and
- This would mean that the following trajectory is more likely:
 - 2022/23 – 15 units
 - 2023/24 – 30 units
 - 2024/25 – 35 units.

Accordingly, could we suggest that the following changes be made to the tables accompanying the Five year Housing Land Supply Consultation.

We trust the above meets your requirements and, if you have any further queries, please do not hesitate to contact me.

Kind regards,

Elliot Jones

Director, Head of Boyer Cardiff



W boyerplanning.co.uk

A Third Floor, Park House, Greyfriars Road, Cardiff, CF10 3AF



Boyer is proud to support Trussell Trust

Boyer's response to Coronavirus (COVID - 19)

Terms and Conditions

Registered Address: Crowthorne House, Nine Mile Ride, Wokingham, Berkshire, RG40 3GZ.
Registered in England 2529151.

To see full disclaimer that applies to this email please [click here](#).
To see our Standard Terms and Conditions of Contract please [click here](#).
At Boyer we take your data privacy seriously view our [privacy notice](#).