



Planning, Design & Access Statement
Inglewood, Paignton

March 2018 - Rev A

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1 EXECUTIVE SUMMARY



Looking North East towards the site



Looking South East towards the site



Looking South East towards the site



Looking North West above the site

This Planning Design and Access Statement supports an application for the development of a new, sustainable addition to the western edge of Paignton. The proposals are for up to 400 dwellings, 30% of which will be affordable in line with Local Plan policy, a new primary school with nursery and public house. The proposals provide extensive public open space, including formal play areas, informal spaces, trim trail (with edible landscape features), community orchard and allotments.

The design responds to the important landscape and ecological features present in the area. In order to ensure that there is no significant environmental impact, extensive mitigation is embedded within the proposals, including extensive land set aside to be farmed in a manner which continues to support protected bat and bird species. Significant tree planting is proposed to both mitigate potential visual impacts and also to define the sense of place to be created.

In order to ensure that the mitigation proposals are secured for the long term, the application package includes a series of protections secured by legal agreements. The changes to farming practices

to ensure that ecological mitigation is effective in perpetuity is secured via a Farm Management Plan, amended farm tenancies and a Landscape and Ecological Management Plan, all of which are secured via the proposed section 106 agreement heads of terms. In order to ensure that the onsite public open space and landscape features are protected in the long term, a management company will be established, a Registered Social Landlord with an extensive track record in managing such features.

The application supports the wider aspirations of Torbay Council to promote a positive and ambitious growth strategy centred on a parallel approach to the delivery of jobs and housing; the development wholly accords with this. In addition to mitigating any ecological and landscape impacts, the proposals allow for the delivery of a highways package which includes offsite highways improvements that will result in betterment over the existing highway capacity. Sustainable travel is supported via a Travel Plan and an emerging agreement with Stagecoach to improve services along the Brixham Road corridor, including to South Devon College. Access to the countryside for future and existing

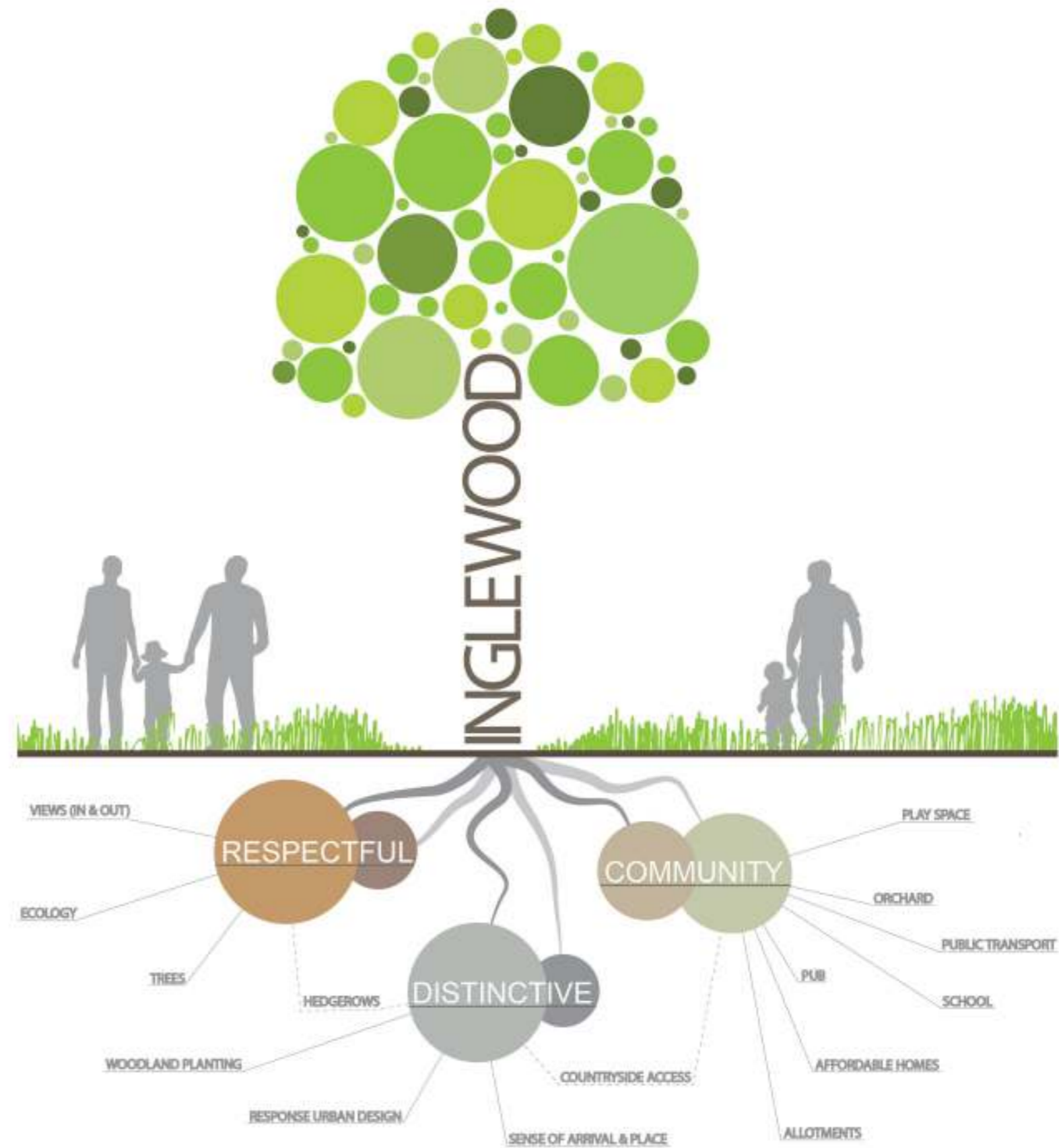
residents is improved via crossings on Brixham Road and linkages to the woodland walk associated with the White Rock development to the north. This interconnection will provide a dual cycling/pedestrian route ensuring that there are genuine opportunities to travel between sites along the western corridor by active travel methods. This is considered to be significant in supporting the considerable efforts being made by South Devon College to promote non-car based travel.

The proposed primary school provides an opportunity to support the Council's education offer and has been worked up with the Education and Funding Skills Agency. The provision of a serviced site, accessed from primary infrastructure, will allow the Council to deliver the school early, meeting the need to deliver increased pupil places along with ensuring that a key community facility is embedded within the development from the outset.

It is recognised that the site is not currently allocated albeit this is largely due to the absence of full technical evidence at the time of the Local Plan examination. This is now complete and presented in this application, meaning that the principle of

allocating/permitting development as set out by the Inspector in his report can be realised. Due to the lack of an allocation, the site does not feature within the emerging Brixham Peninsula Neighbourhood Plan however this is not considered to be an ultimate barrier to the ability for the Council as Local Planning Authority, responsible for ensuring the long term deliver of a strategic, sustainable approach to their growth aspirations, to grant planning permission. The site was recognised by the Council at the Torbay Local Plan Examination as being the most appropriate location to ensure that long term needs are met in a sustainable manner.

This application is presented with full and comprehensive package of detailed design work and technical evidence and is the culmination of extensive engagement with stakeholders, including Council Officers, statutory/non-statutory bodies and the general public. In light of the detail submitted, it is considered that the Inglewood site offers a unique opportunity for the Council to secure affordable housing to meet long term needs whilst delivering genuinely sustainable development which mitigates any impacts which arise.



The proposal for Inglewood is rooted in the principle of making a positive, sustainable contribution to the built environment and, ultimately, to create a place which responds to the environment, integrates with the existing and is a desirable place to live.

The various aspects of the development are captured in the following infographic which highlights the three key principles: development being **respectful** of the setting; ensuring that it fosters a sense of **community**; and, creating a **distinctive** sense of place.

Further explanation of each aspect is set out throughout this statement

Infographic representation of the Inglewood development offer

2 INTRODUCTION

2.1 Project Context

This Planning, Design and Access Statement (PDAS) has been prepared by Stride Treglown on behalf of Abacus Projects/Deeley Freed (AP/DF), who have owned/promoted the land which is the subject of this planning application for over 20 years.

Stride Treglown have been acting for both parties for a number of years and most recently (April 2013) secured planning permission for the mixed use development (circa 350 homes plus local centre, employment land and public open space) at White Rock. Since that time the land has been sold and development commenced by Linden Homes as a separate development delivery project, distinct from the current applicant.

In respect of the land to the south of White Rock, baseline assessment work, which has been carried out since 2013, has established that the site has a very different landscape character together with significance in respect of Greater Horseshoe Bats and Cirl Bunting. On this basis, the development proposed is underpinned by a landscape and ecology led design ethos which has been followed

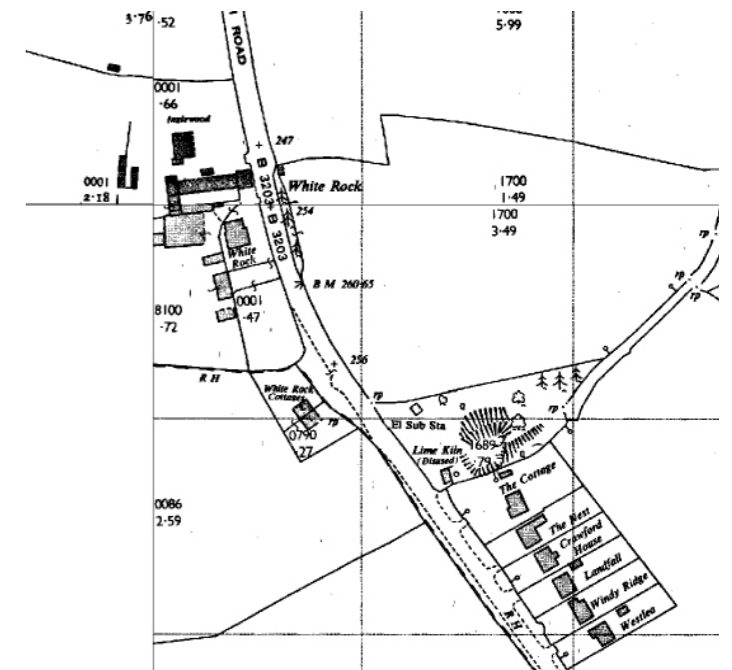
from first principles.

This PDAS represents the culmination of a significant amount of technical assessment and design work all of which has been carried out to ensure that the development proposals are robust and justified in the local context.

The Statement provides context to the final proposed masterplan, demonstrating the work undertaken to understand the local area in terms of the character, local needs and the technical baseline across a range of disciplines. In addition, it provides an overview of a suite of technical assessment work although full details are provided within standalone reports and the accompanying Environmental Statement.

In submitting this application, the client and project team are demonstrating their commitment to the principle of positive and sustainable design which seeks to play an important strategic role in the future growth and aspirations of the Paignton and wider Torbay area.

Excerpt of historic OS plan indicating 'Inglewood' farm stead north of the site



Integral to this project is the commitment being made by Abacus/Deeley Freed to the principle of long term stewardship of the land. With this in mind, there is a commitment within the application to the establishment of a regime to protect the site in perpetuity for the benefit of future generations.

A Sense of Identity

In respect of the name given to the proposal, whilst earlier references to the site (during the Local Plan examination process and most recently the Environmental Impact Assessment Scoping exercise) refer to the site as 'land south of White Rock', moving forward the site will be known as 'Inglewood'. The decision to rename the site draws on the recognition of the different character of the site.

A landscape and ecology led design approach is integral to the application and to reflect this, consideration has been given to the types and locations of woods throughout the wider area. Existing wood features together with those now

proposed, for both mitigation and enhancement purposes, represent distinctive features in the current and potentially future landscape. As such, the concept of woods has become a central feature in this branding work and therefore, in order to root the project in the local context, we have considered the historical context including a review of old OS maps which has been important to help understand how a new name can offer a sense of meaning together with setting in motion the concept of a 'sense of place' for the future.

This has led to considering the derelict farmstead of Inglewood, located just north of the site, and whether this could be used to establish a new association and in particular the idea to name the new woodland planting associated with White Rock (recently planted on the northern boundary of the current site) as Ingle Woods and then using this to name this current project.

2.2 Design Team

Stride Treglown have been working on the Inglewood project since 2013/14, initially to promote the land through the Local Plan process; further detail is set out in the Planning Context chapter later in this document.

Following the outcome of the Local Plan Examination in Public we have been undertaking work to further understand the baseline technical conditions and opportunities/constraints.

Stride Treglown act as lead consultant for the project with the Town Planning team having an oversight role, including: coordination of the Environmental Impact Assessment and resultant Environmental Statement; supporting on Public Consultation and Engagement; and, general team management.

Our Masterplanning and Urban Design team lead on all design matters supported by our Landscape Architects.

Technical consultants have been appointed directly to advise on the technical baseline and then assess the potential impacts of development including, where necessary, proposals for mitigating the potential impacts of development.

Details of members of the wider consultant team, together with the specific work which they have undertaken, are as follows.

Abacus Projects

Abacus Projects
Developer

deeleyfreed

Deeley Freed
Developer

STRIDE TREGLOWN

Stride Treglown
Lead Consultant
(Town Planning, Masterplanning/Urban Design, Landscape Architecture)

NICHOLAS PEARSON ASSOCIATES
Town Planning, Landscape Architecture, Ecology

Nicholas Pearson Associates
LVIA and Ecology



Key Transport Consultants
Transport Planning

30 YEARS ACOUSTIC CONSULTANTS LTD
noise and acoustic specialists since 1987

Acoustic Consultants
Acoustics Engineer

clarkebond

ClarkeBond
Geoenvironmental and Drainage Engineer

Hydrock

Hydrock
External Lighting Engineer

evolve
TREE CONSULTANCY
plan • develop • grow

Evolve
Arboricultural Assessor

Air Quality
CONSULTANTS

Air Quality (AQ) Consultants
Air Quality Assessor



Hoare LEA
Sustainability Assessor

Archædia

Archædia
Archaeology Assessor

2.3 The Proposed Development

The planning application is submitted in outline form with all matters reserved except for the means of access to the site and associated works to Brixham Road.

The application is supported by an indicative layout in the form of a concept masterplan. This concept steps further than many applications as a result of the need to give detailed consideration to the site constraints and the extent to which it can support development.

In particular, the concept masterplan provides for a significant proportion of the site (c.7ha plus 25ha offsite land under control of the applicant) to be retained for mitigation purposes, principally in relation to ecology and potential landscape and visual impacts.

An indicative schedule of accommodation follows and establishes the broad quantum of development within which the determination of the application should be considered.

Beyond the form/quantum of development, and in addition to the proposed mitigation land within the site boundary, the concept masterplan provides for:

- the retention where possible of hedgerows and trees within the site;
- strengthened hedgerows offsite, secured via changes to farm management practices, details of which are provided elsewhere in the application;
- the provision of public open space, both formal and informal;
- the means of providing active travel linkages to and from the site, via new crossing points on Brixham Road and via woodland to the north of the site connecting to White Rock;
- the provision of a countryside access route;
- land for community food production, including orchards and allotments; and,
- c. 3km of new hedgerows, both on site and off site, representing a net gain of 2.5km.

Schedule of Proposed Development

- 373 dwellings in a mix of 1 and 2 bedroom apartments and 2,3 and 4 bedroom houses of which 30% are to be affordable:

Bedrooms	Apartments	Houses	Total
1	9	-	9
2	18	84	102
3	-	185	185
4	-	77	77
		TOTAL	373

- 2 Form Entry Primary School (incorporating nursery) together with associated outside space (including 4G artificial playing pitch) and car parking (staff/drop-off)
- A public house with associated car parking and outdoor seating
- Public open space, including:
 - 1 Neighbourhood Equipped Area of Play
 - 2 Locally Equipped Areas of Play
 - Incidental open space (c. 25,000 sq m) with the ability to accommodate Local Areas of Play and/or trim trails and to include a community orchard
 - Allotments (5,700 sq m)
- Tree planting within and on site edges
- Highways access and improvement works, including:
 - Provision of site access from Brixham Road via a new 4 arm roundabout
 - Provision of 2 new crossing points on Brixham Road, one close to the junction of Hunters Tor Drive and one to the north of the proposed site access
 - Localised road widening on the bend North of the site, in the vicinity of White Rock Primary School
 - Wider improvement works at Windy Corner (South) and the junction of Brixham Road/Long Road (North)

2.4 Structure of the Planning Application

This Planning, Design and Access Statement (PDAS) sets out the context and detail of the application.

The initial sections focus on the planning framework within which the application is made together with details of the site.

Details of the analysis follow together with consideration of the initial design parameters before presenting the detailed masterplan.

The latter part of the report includes an overview of the technical position together with the planning justification of case.

In addition to the Environmental Statement and technical reports, the application is accompanied by a suite of documents which establish the parameters for successful delivery of the site, should permission be granted.

In particular, these documents seek to establish the necessary controls and protections which are to be committed to by the applicants in order to demonstrate that matters such as long term land management can be provided for in perpetuity.

A section 106 agreement will secure the provision of items which are critical to mitigating the impacts of development.

Technical Assessments:

(Those with corresponding Environmental Statement chapters marked (ES))

- Transport Assessment (ES) and Travel Plan
- Flood Risk and Drainage Strategy/Assessment
- Landscape and Visual Impact Assessment (ES)
- Ecological Impacts (ES)
- Cultural Heritage
- Ground Conditions
- Flood Risk and Drainage
- Air Quality
- Lighting (ES)
- Noise
- Agricultural Land and Soils (ES)
- Arboricultural Assessment

Supporting Documents

- Urban Design Framework
- Farm Management Plan
- Landscape and Ecological Management Plan
- Rapid Health Impact Assessment
- Report of Community Involvement
- Draft Section 106 Agreement Heads of Terms

3 PLANNING CONTEXT

3.1 Town planning history

Planning Policy Promotion

In support of Torbay Council's work to prepare a new Local Plan, Stride Treglown (on behalf of Deeley Freed/Abacus) actively engaged in the preparation and examination process. This principally took the form of a Land Promotion document, submitted to the Council to demonstrate the potential capacity of the site, within the known opportunities and constraints information available at the time.

The Council submitted their Draft Local Plan in February 2014 and the examination hearing sessions were held in November 2014. During the course of the hearings and the subsequent publication of Interim Findings, the Inspector identified that there was a potential need for the plan to include a higher housing target within the strategic policies. In order to address this, the Council published Main Modifications (MM) which had the effect of increasing the level of housing required to be delivered via the plan and, specifically, proposing the allocation of the land which is now the subject of this planning application as a Future Growth Area.

Consultation on the proposed MM prompted objections from a number of parties, including Natural England. In broad terms, concerns were raised that, at that point in time, there was insufficient evidence on the potential ecology and landscape impacts to be able to draw a sufficiently robust conclusion that the site could be allocated for development without resulting in significant impacts. Aligned to this, concerns were expressed regarding the delivery of permanent mitigation land for the purposes of ensuring the future support of the local Greater Horseshoe Bat population.

Following these concerns the Council proposed Replacement Main Modifications (RMM) which, amongst other matters, reversed the proposal to allocate the site as a Future Growth Area. Following further consideration, the Inspector reported on the

soundness of the Local Plan in October 2015.

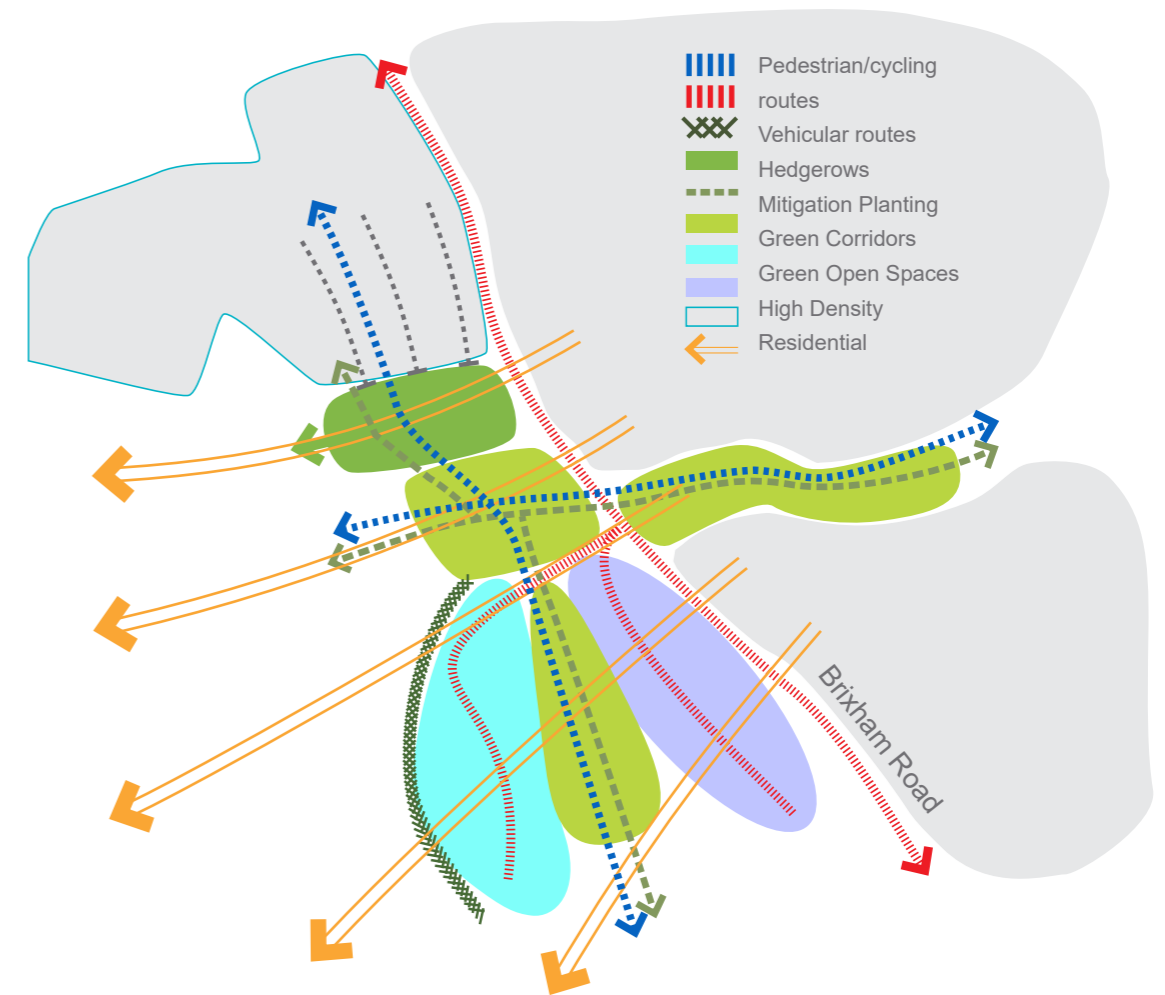
In reporting on the Local Plan the Inspector recognised the logic behind the Council's decision to remove the proposed allocation (via the RMM) although did note that the situation is less than ideal in the context of ensuring that the Authority are able to meet their long term housing needs (refer para 61 of the Inspectors Report, October 2015).

In considering the detailed concerns raised by Natural England, the Inspector noted (paragraph 62) that:

"if the necessary work is undertaken and shows that from an environmental point of view the site is developable, there is nothing to stop the Council from carrying out a partial review of the Plan as soon as it has the necessary evidence. This course of action would enable sensible medium term planning to be undertaken..."

Whilst the Inspector indicated that an early focused review of the Plan, once adopted, would be the preferred approach Torbay Council have indicated through the course of general discussions and formal pre-application discussions that the preferred option would be to consider the development potential of the site via a planning application rather than Local Plan review. It is understood that this is primarily a matter of the likely time and cost involved in such a review, it being considered that a positively determined planning application (if the Council resolve to grant permission) is likely to be the most time effective method to ensure the early delivery of housing.

The Plan was subsequently adopted as part of the statutory Development Plan on 10th December 2015. Detailed consideration of the relevant policy framework is set out below.



During the Local Plan review, this concept diagram was used to demonstrate how development on the site could be achieved. However, since then, a lot of time has been spent by the team in better understanding the environmental characteristics of the site (through technical surveys and assessments), which has resulted in a more sensitively designed proposal.

Planning Application History

Whilst the site is greenfield and in agricultural use, it has been the subject of planning applications and consideration through the Local Plan policy process.

At the 1989 Torbay Local Plan Inquiry much of Abacus/Deeley Freed's land interest, including the subject site, was considered as having the potential to be included as a housing and employment allocation, but eventually rejected at that time.

Planning applications covering part of the study site were submitted in 1995 (ref. 95/0998/OA) and 1996 (ref. 96/1288/OA) for housing and associated open space, including the realignment of Brixham Road. The earlier of the two applications was refused planning permission in October 1995 and the latter application was withdrawn in June 1998. In broad terms, the first application was refused due to a lack of housing need at that time and the potential for adverse landscape and highways impacts.

In October 1995 an outline planning application (ref. 1995/1304/OA) was submitted for land to the north of the site together with a large portion (but not all) of the site which is the subject of this current application.

The application proposed the erection of units for employment purposes within classes B1, B2 and B8 (although B8 uses were subsequently withdrawn). In June 1996 Torbay Borough Council resolved to grant outline planning permission subject to agreeing a S106 Agreement and reductions in the development area. In July 1996 the Secretary of State called in the application and in July 1997 determined to refuse permission.

In refusing the application, the Inspector, on behalf of the Secretary of State identified that the suitability of the site for the proposed development, particularly in terms of its visual impact on the surrounding area, was a prime consideration. In doing so, he accepted that national, strategic and local planning policies do not rule out all development near Areas

of Outstanding Natural Beauty (AONB) and within Areas of Great Landscape Value (AGLV) and considered the key question to be whether the development would harm the special landscape qualities of these areas and the attractiveness of the area for tourists. In this instance, the decision was that the proposed development would have an unacceptable impact.

In the wider area, a number of planning applications have been submitted to develop land at White Rock to the north, including for a business park (in 2005). This application was made in response to an allocation in the Adopted Torbay Local Plan (2004) for 11.8ha of land for employment use. This application was approved although not implemented.

In 2010 work commenced to develop a masterplan for the redevelopment of White Rock, incorporating a mix of uses with high quality employment use in the Western Bowl

area, housing development in the order of 350 units, associated public open space and a new Local Centre in the east, adjacent to Brixham Road.

The masterplan was submitted as part of an application for outline planning permission and a Committee resolution to grant permission was made in February 2012. Following negotiation of a section 106 agreement consent was granted in April 2013. Since then a number of reserved matters applications have been approved and the first phases of residential development completed/commenced with occupation ongoing.

3.2 Town planning policy framework

This section of the Planning Context Chapter considers the planning policy framework relevant to the determination of a planning application.

National Planning Policy Framework

Planning Policy at the National level is set out in the National Planning Policy Framework (the NPPF or Framework). This was published in March 2012 and sought to consolidate the suite of former Planning Policy Statements/Guidance into a single document. The Framework is accompanied by online Planning Practice Guidance (PPG) which provides practical advice and further articulation of policy.

The NPPF has at its heart the principle of Sustainable Development. This is defined as “meeting the needs of the present without compromising the ability of future generations to meet their own needs”. In support of the principle,

the NPPF establishes that there are three dimensions: economic, social and environmental and directs that the planning system considers how it functions in support of these roles.

Paragraph 14 establishes the “*presumption in favour of sustainable development which should be seen as a golden thread running through both plan-making and decision-taking*”. In respect of determining planning applications, this is seen to be ensuring that Local Authorities approve “*development proposals that accord with the development plan without delay*”

In support of the principle set out above, paragraph 17 establishes core planning principles which are expected to underpin decision-taking. Of relevance to this application are the following:

- *planning should “not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives”;*
- *“proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs”;*
- *“always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings”;*
- *“promote mixed use developments, and encourage multiple benefits from the use of land...recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production)”;* and,
- *“actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling”.*

Section 1 of the Framework sets out how “*the Government is committed to securing economic growth in order to create jobs and prosperity*”. In support of this, paragraph 19 notes that “*planning should operate to encourage and not act as an impediment to sustainable growth*”.

Whilst much of Section 1 is concerned with guiding Local Planning Authorities to ensure that their Local

Plans provide for the required level and type of employment, in the right locations, it also notes that there is a need to ensure that:

“policies should be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances”.

Paragraph 32 of the Framework requires “*developments that generate significant amounts of movement...[to] be supported by a Transport Statement or Transport Assessment*”. In making decisions, consideration needs to be given to “*the opportunities for sustainable transport modes*” to be utilised, the ability for “*safe and suitable access to the site*” and to seek to “*effectively limit the significant impacts of the development*” (if such impacts arise).

Paragraph 32 concludes that permission should only be refused “*where the residual cumulative impacts of development are severe*”.

Section 6 provides guidance on planning for housing delivery.

Paragraph 47 establishes the principle of maintaining a rolling 5 year supply of land to meet housing needs together with the need to identify land or locations for growth in later phases of the plan period.

Paragraph 49 provides clarity in those circumstances where a 5 year supply cannot be demonstrated, noting that “*relevant policy for the supply of housing should not be considered up-to-date*” and that applications should then “*be considered in the context of the presumption in favour of sustainable development*”.

Paragraph 50 makes the practical link between housing need/delivery and placemaking, identifying the need *“to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities”*. Section 7 of the Framework establishes the role of design and that it *“is a key aspect of sustainable development [and] is indivisible from good planning”*. Paragraph 59 highlights the potential for design codes to assist in the delivery of a higher standard of design.

It is recognised within paragraph 60 that there is an importance placed on the promotion/reinforcement of local distinctiveness albeit this should not give rise to the imposition of certain architectural styles or tastes.

Section 8 makes an important contribution to the policy framework to ensure that the social aspect of planning makes a positive contribution to the creation of healthy and inclusive communities. Paragraph 69 highlights the importance of ensuring that development, through features such as strong centres and active streets, can provide for social interaction, and, in turn, promote social cohesion. Paragraph 70 continues, noting that planning has an opportunity, particularly through decisions on applications, to *“ensure an integrated approach to considering the location of housing, economics uses and community facilities and services”*.

Paragraph 72 emphasises that *“the Government attaches great importance to ensure that a sufficient choice of school places is available to meet the needs of existing and new communities”*. Paragraph 73 recognises the important role which the provision of high quality open space can have on the health and wellbeing of communities. Paragraph 75 builds on this in respect of the importance of enhancing public

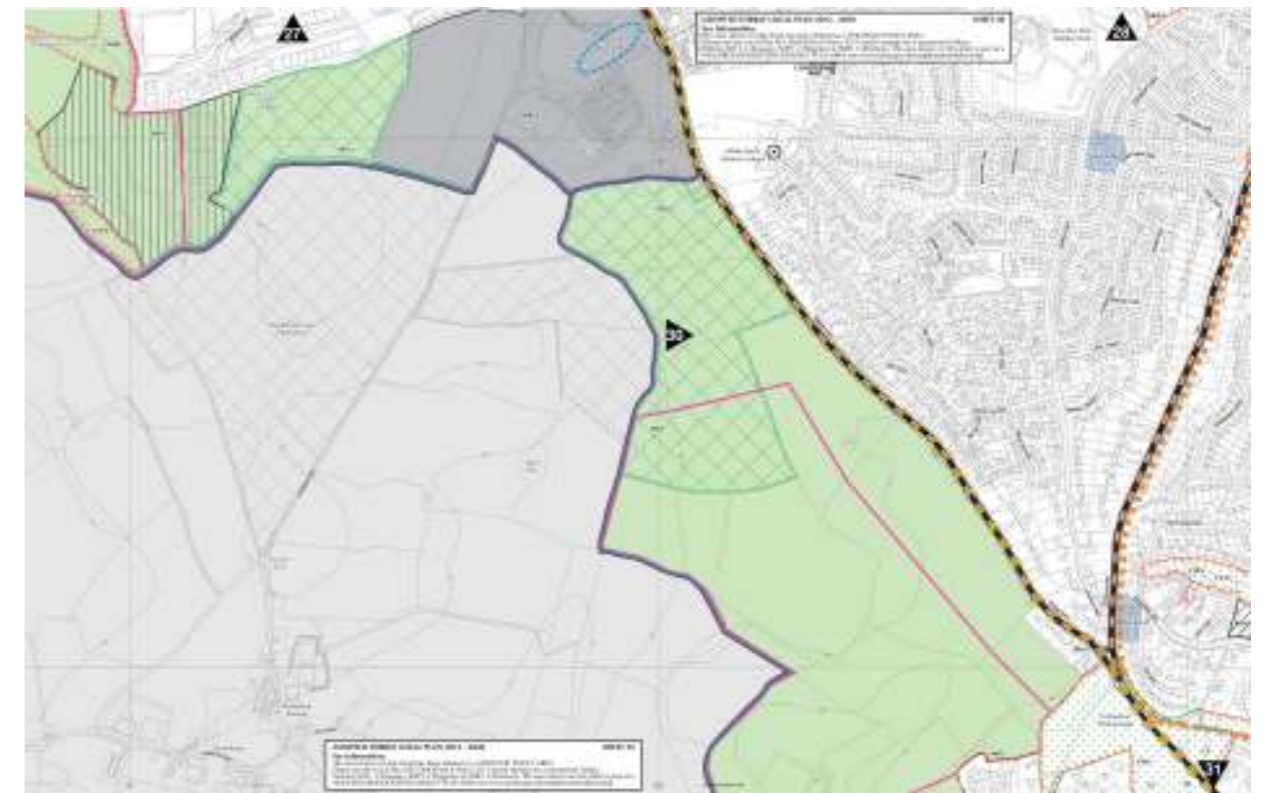
rights of way and access opportunities.

Section 10 of the Framework addresses matters of climate change and flooding, including highlighting the importance of ensuring that development is directed to areas which are at the lowest risk of flooding (paragraph 100).

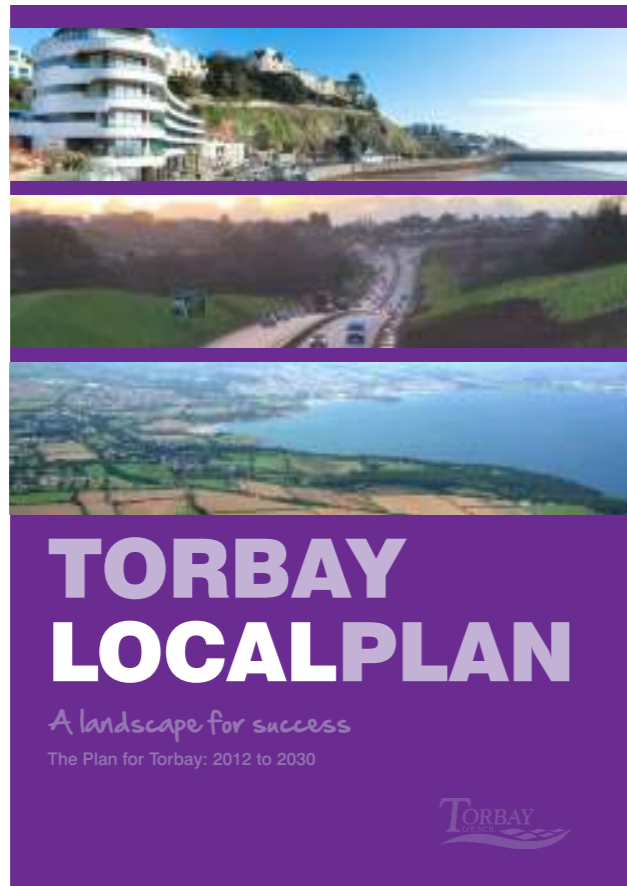
The role of planning in conserving and enhancing the natural environment is addressed in Section 11. Paragraph 109 highlights the importance of *“minimising impacts on biodiversity and providing net gains in biodiversity where possible”*. The importance and weight to be applied to the protection of Areas of Outstanding Natural Beauty is set out in paragraph 115.

Section 12 considers the importance of conserving and enhancing the historic environment. Paragraph 128 identifies the importance of considering applications in the context of a proportionate call for evidence on the significance of any heritage assets that may be affected by development. Where substantial harm or loss occurs as a result of development, paragraph 133 identifies the need to demonstrate that there are *“substantial public benefits that outweigh that harm or loss”*.

The sustainable use of minerals is addressed in Section 13, paragraph 142 recognising the essential role that they have in supporting sustainable economic growth. Paragraph 144 establishes the importance of minerals safeguarding areas.



Excerpt from Local Plan Policies Map Sheets



Torbay Local Plan - adopted December 2015

3.2 Town planning policy framework (continued)

Development Plan

The Development Plan for Torbay is the *Torbay Local Plan, A Landscape for Success - The Plan for Torbay 2012 to 2030*, adopted December 2015 (hereafter referred to as 'the Plan'). It sets out strategic policy detail for the Torbay area, including the Council's ambitions to deliver a tandem jobs and housing growth strategy. This strategy is articulated in the first three policies of the Plan.

Of particular relevance is *Policy SS1 Growth Strategy for a prosperous Torbay* confirms that the Plan seeks to support the creation of 5,000 – 5,500 net additional jobs and the delivery of approximately 17ha of employment land. On housing, SS1 identifies at housing target of "about 8,900 over the Plan period of 2012 – 2030". The Policy confirms how this will be provided over the three main periods of the Plan, namely: existing commitments

in the first 5 years (to 2016/17); the completion of committed sites and those identified in the three Neighbourhood Plans (to 2021/22); and, in Strategic Delivery Areas/Future Growth Areas in the latter stage of the Plan period.

Policy SS3 Presumption in favour of sustainable development reiterates the presumption that is set out as a key principle in the NPPF. It notes that the Council "will work proactively...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."

Aspiration 1 of the Plan provides policy for securing the economic recovery and success across the Bay area. *Policy SS4 The economy and employment* and *Policy SS5 Employment space* provide further articulation of the jobs growth target set out in Policy

SS1. Paragraph 4.2.20 in support of the former policy provides for flexibility in delivery, noting that where onsite provision "is not practicable...the Council will seek a financial contribution towards employment creation or employment initiatives locally".

Aspiration 2 seeks to achieve a better connected, accessible Torbay together with the provision of essential infrastructure. *Policy SS6 Strategic transport improvements* provides for "on-line improvements" on the Western Corridor (2(ii)) together with improvements to the Walking and Cycling Network and Bus/Public Transport.

Policy SS7 Infrastructure, phasing and delivery of development highlights that "in order to be permitted, development must be supported by provision of the critical infrastructure required for the development to proceed." It also notes the importance of "physical, social and green infrastructure...to help Torbay grow in a sustainable, healthy and prosperous way".

The environment of the Bay areas is protected through aspiration 3 (Protect and enhance a superb environment). *Policy SS8 Natural environment* places significant importance on ensuring that those sites which are protected under European legislation are safeguarded, conserved and enhanced. Matters addressed within the policy include: protection of protected sites, species and habitats; where sites are outside of the AONB, ensuring that they conserve or enhance the distinctive features, and; seek management practices which ensure the long term protection of greenspace (including amenity space), provision/protection of dark corridors and improving public access to the countryside.

Policy SS9 Green infrastructure picks up this last point in more detail, highlighting the importance of the provision of a green infrastructure led approach to the design of new development which incorporates multifunctional spaces providing public access. In addition, green infrastructure is highlighted as having an important role in mitigating for impacts on the sustenance zone and flyways used by Greater Horseshoe Bats.

Finally, *Policy SS10 Conservation and the historic environment* provides protection for heritage assets across the Bay area.

Aspiration 4 seeks to create more sustainable communities and better places and is the second

key tenet of the Plan's growth strategy.

Policy SS12 Housing provides an overarching policy on the housing target of 8,900 homes over the plan period. Table 3 associated within the Policy provides for a spatial distribution across the three Strategic Delivery areas of Torquay, Paignton and Brixham.

Policy SS13 Five year housing land supply sets out the commitment to maintaining a 5 year housing land supply together with the housing delivery trajectory. The policy outlines the important role of Neighbourhood Plans in supporting delivery during the middle phase of the plan period. It notes, in response to concerns raised in the report on the soundness of the Local Plan, that mechanisms to boost supply if it begins to falter include the preparation of a Site Allocations Development Plan Document and to "consider favourably applications for new housing, consistent with Policy SS2, H1 and other Policies of this Plan". The policy also notes that the 5 year supply figure is a target and not a ceiling and that this can be exceeded where "the proposed would bring social, regeneration or employment benefits, including through the provision or funding of infrastructure".

As noted in respect of Policy SS1, the Plan secures the principle of Neighbourhood Plans providing for the medium term (in Plan period terms) delivery of housing. A series of Strategic Delivery Areas (SDA) are established which correspond with the Neighbourhood Plan Forum areas of Torquay (SDT1), Paignton (SDP1) and Brixham (SDB1). Each of these policies is accompanied by tables establishing the expected delivery of employment and housing development. For each SDA there are a number of sub-policies which propose more specific local level distribution of development.

The latter part of the Plan provides a number of policies to steer the delivery of change and management of development in the Bay area.

Transport matters are addressed in policies *TA1 Transport and accessibility*, *TA2 Development access* and *TA3 Parking requirements*. This suite of policies aim to ensure that transport opportunities are as sustainable and active as possible along with seeking to ensure that access to new development is safe and efficient. Finally, parking standards are established in order to ensure that adequate provision is made; further details are provided in Appendix F.

Policy C1 Countryside and the rural economy is in part concerned with steering development towards those areas identified in Future Growth Areas. Where development is proposed outside of these areas the policy seeks to ensure that the impacts are acceptable and that any harm arising is appropriately mitigated. Related to mitigation, particularly in respect of trees, hedgerows and natural landscape features, *Policy C4* highlights the need to retain and protect features where possible together with supporting new provision where this cannot to be secured.

Policy NC1 Biodiversity and geodiversity seeks to ensure that development protects opportunities to conserve and enhance biodiversity. A key aspect of this is ensuring that internationally important sites and species are protected and where impacts might arise, ensure that adverse effects can be fully mitigated. In respect of housing provision, *Policy H1 Applications for new homes* supports development in the SDA. Where development is proposed on unallocated sites, the Policy notes that they will be considered against key criteria, including:

- “The need to provide a range of homes...to meet the full objectively assessed needs;
- The maintenance of a rolling 5 year supply of deliverable sites;
- The opportunity to create mixed, balanced and prosperous communities, including employment provision, with good access to social and environmental infrastructure;
- The creation of high quality living environments, including the protection of the amenity, recreation opportunities and access to facilities of all residents;
- The capacity of physical, social and environmental infrastructure, including

highways and sewerage, to accommodate development;

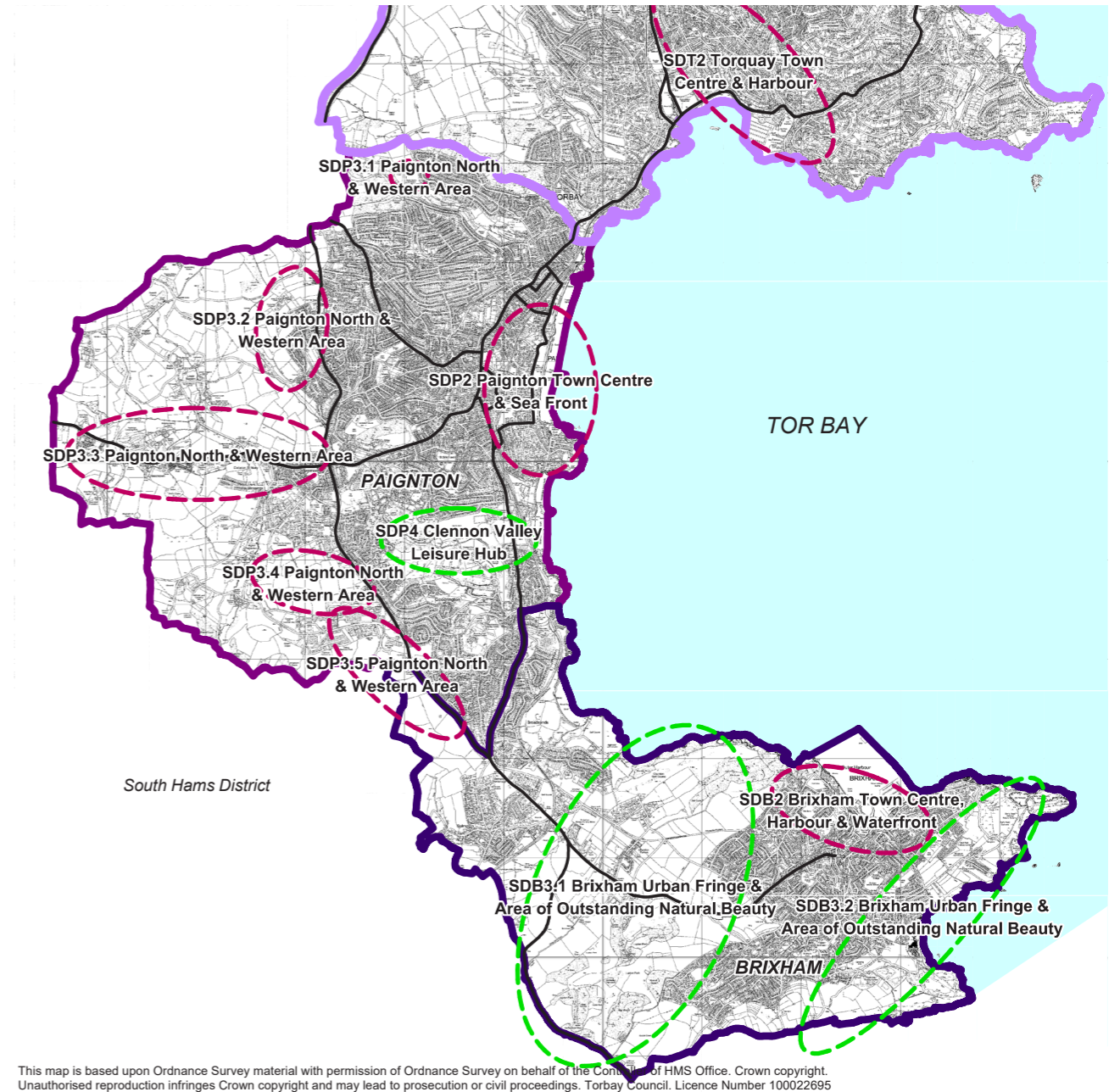
- The landscape and biodiversity impacts of the proposal and the objective to achieve a net gain in biodiversity;
- The objective to reduce the need to travel by car, whilst making appropriate arrangements for vehicle ownership; and
- Consistency with other Policies in the Local Plan and neighbourhood plans”.

Policy H2 Affordable housing sets targets for affordable housing. On large greenfield development sites this is set at 30%, 5% of which is sought as self build plots in accordance with *Policy H3*.

Design is addressed across four policies: *Policy DE1 Design*; *Policy DE2 Building for Life*; *Policy DE3 Development amenity*; and, *Policy DE4 Building heights*.

Referring back to the desire to improving opportunities for positive social change and balanced communities, *Policy SC1 Healthy Bay* looks to development to ensure that it promotes opportunities to have a healthy and active life. Health Impact Assessment Screening is required on residential sites which propose in excess of 30 dwellings. *Policy SC4 Sustainable food production* accords with this overarching principle, recognising that larger residential schemes can provide onsite opportunities for local scale food production. The Policy also considers development on land which is classified as best and most versatile in respect of agriculture.

Policy ER1 Flood risk highlights the importance of ensuring that development appropriately considers the risk of flooding, including considered of how surface water is dealt with onsite.



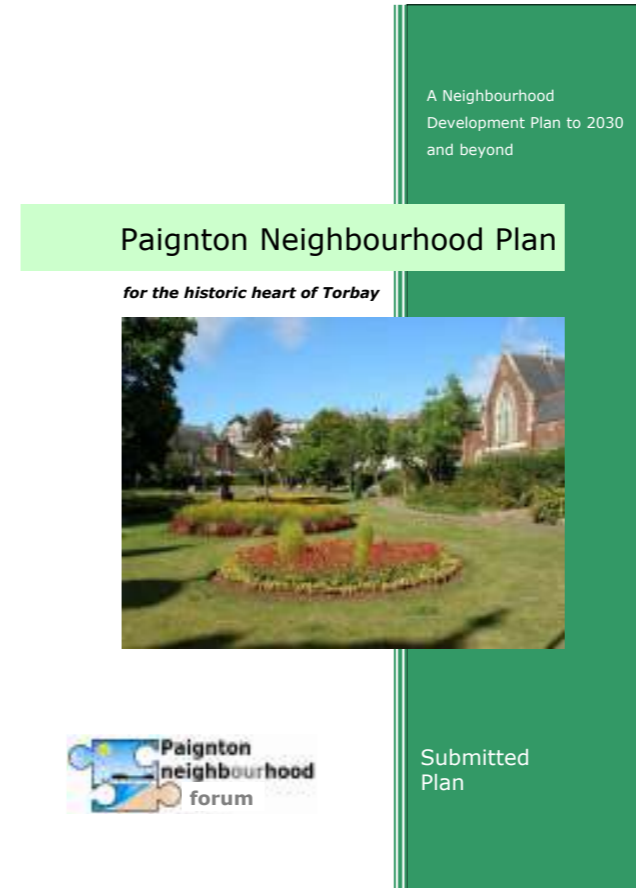
Excerpt from Local Plan Policies Map - Key Diagram

Local Development Scheme

The Council published a new Local Development Scheme (LDS) which took effect from 2nd March 2017.

The LDS establishes the strategic priorities for policy formulation in the coming years. Due to the coverage of the plan area by Neighbourhood Plans, there is a focus on their delivery. There is also focus on strategic masterplanning for key sites, including town centre regeneration.

Whilst housing allocation is anticipated in the Neighbourhood Plans, the LDS recognises the potential risks associated with delays or non-compliance. On this basis, paragraph 3.5.2 recognises the potential to support the promotion of an outline planning application for the site which this application relates to, noting the specific support setout in the Inspector's Report and the broad ability for Policy SS1 of the Local Plan to support further growth.



**Brixham Peninsula
Neighbourhood Plan
Policy Document**

2012–2030 and beyond

Protecting the Green and the Marine — Ensuring the Future

Paignton and Brixham Peninsula Neighbourhood Plan policy documents

3.3 Emerging policy

Neighbourhood Plans – General

The Torbay area is unique in having authority wide coverage by designated Neighbourhood Plan Forum. As a result the three Forum – Torquay, Paignton and Brixham – have particular responsibilities in respect of delivering the strategy set out in the Local Plan.

Specifically, they have a medium term (years 6-10 in the plan period, 2017 – 2022) responsibility for allocating/identifying sites to meet employment and housing needs to deliver the growth strategy outlined in the Local Plan.

Those proposed Neighbourhood Plans relevant to this application are discussed below.

Brixham Peninsula Neighbourhood Plan (BPNP)

The Inglewood site falls wholly within the Brixham Peninsula Neighbourhood Plan (BPNP) area albeit the northern boundary of the site is shared with the area covered by the proposed Paignton Neighbourhood Plan (PNP)

The emerging Plan seeks to identify sufficient land to provide around 660 new homes in the period 2012 to 2030. The Plan was the subject of formal consultation under Regulation 14 of the Town and Country Planning Neighbourhood Planning (General) Regulations 2012 (the Neighbourhood Plan Regs) from 28th January 2017 to 11th March 2017 and Stride Treglown, on behalf of Abacus/Deeley Freed, made formal representations to the Forum.

Paignton Neighbourhood Plan (PNP)

As noted above, the northern edge of the Inglewood site is the boundary between the Brixham Peninsula and Paignton Neighbourhood Plan areas.

Unlike the BPNP, the draft PNP does not formally identify/allocate sites for employment and housing delivery within specific policies. Instead, the Forum have taken a view that at this stage in the Local Plan period there is sufficient supply of land for housing and employment delivery to the extent that further sites are not required until much later in the Local Plan period. This view would appear to be predicated on a review of employment provision since the start of the Local Plan period in 2012.

Consultation, under the Neighbourhood Plan Regs, was held between 19th April and 31st May; Stride

Treglown, on behalf of Abacus/Deeley Freed, made formal representations to the Forum.

Examination of the Plans

Both the BPNP and PNP were submitted to Torbay Council on 18th August 2017. Shortly before submission of this application, the Council published Regulation 16 consultation to invite comments on the draft NP in the context of the Basic Condition tests. An examiner will be appointed in due course.

Having been submitted, it could be considered that the Plans have some weight in the consideration of planning applications. However, in light of the potential changes that may arise due to problems with the plans, particularly PNP, it would not be reasonable to place any significant weight on the Plans in the determination of this application.



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Torquay TQ1 3DR
My Ref: P/2016/1381
Your Ref:
Telephone: 01803 207831
E-mail: Planning@Torbay.Gov.Uk
Date: 16 February 2017

Dear Mr Harris,

TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2011 (AS AMENDED). REGULATION 13: SCOPING OPINIONS OF THE LOCAL PLANNING AUTHORITY

RE: PROPOSED DEVELOPMENT AT LAND SOUTH OF WHITEROCK, BRIXHAM ROAD, PAIGNTON

I write further to your letter and attached scoping report received 23rd December 2016 requesting an Environmental Impact Assessment (EIA) scoping opinion for the above proposed development. This letter forms the Authority's 'scoping opinion' under Regulation 13 of the Town and Country Planning (Environmental Impact Assessment) Regulations, 2011 (as amended).

This opinion has been prepared by Torbay Council within the terms of its duty under the above regulations. The scoping opinion will provide an informed and detailed response to the scoping report that has been provided to Torbay Council ('the Authority') by Stride Treglown on behalf of Abacus/Deeley Freed, dated 22nd December 2016. This opinion has been informed by the consultation comments of the relevant statutory bodies and other external and internal environmental experts.

Notwithstanding attempts to be as comprehensive as possible, as provided by Regulation 13 (9) of the EIA regulations, this opinion shall not preclude the authority from subsequently requiring the applicant to submit further information in connection with the planning application when it is submitted.

3.4 Environmental Impact Assessment (EIA) - Overview

Legislation to govern the process of EIA is set out in the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended) (the Regulations)*. Schedule 2 of the Regulations provides guidance on the type and scale of projects that might be considered as EIA development and thus subject to assessment of the potential impacts.

In line with the regulations, a Scoping Opinion request was submitted to Torbay Council on 23rd December 2016. The Council responded on 16th February 2017 to confirm the need to undertake EIA together with guidance on the scope of the assessment. A copy of the Scoping Opinion Request and Council response is included within the application package.

In accordance with the requirements of the Regulations, together with the advice provided by Torbay Council, a comprehensive EIA has been undertaken. The baseline and assessment have informed the emerging masterplan proposals throughout the pre-application process. The final Environmental Statement (ES) submitted with the application confirms the scope of potential impacts that might arise in respect of development and, where relevant and necessary, the form of mitigation required in order to reduce or remove the potential for negative impacts to arise.

The ES is provided as a standalone document (including Non-Technical Summary) as part of the suite of application documents.

* Since scoping, the 2017 regulations have been made, however, as the scoping opinion was requested and issued prior to the introduction of those Regulations, the project falls

within the transitional arrangements and is governed by the 2011 (as amended) regulations

4 SITE CONTEXT

The Inglewood site is located wholly within the Torbay Council administrative area. It is located south of an area locally known as White Rock and is bounded on its eastern edge by the A3022/Brixham Road, a tree/hedge lined route serving the Brixham Peninsula.

The western boundary is formed of field margin/hedgerows and follows the administrative boundary between the Torbay and South Hams District Council areas.

The eastern edge of Brixham Road, broadly referred to as Goodrington, is predominantly residential in nature with development typical of 1970-1990 style. White Rock Primary School is located just beyond the north eastern corner of the site.

The village of Galmpton is situated beyond the southern boundary of the site, separated by fields. The small hamlet of Waddeton is located to the south west, accessed from the White Rock area by Waddeton Road and from Galmpton by Stoke Road.

As noted, the area north of the site is known as White Rock. This land was granted outline planning permission in April 2013 (P/2011/0197) for a mixed use development comprising 350 dwellings, employment space, a local centre, formal and informal public open space together with strategic

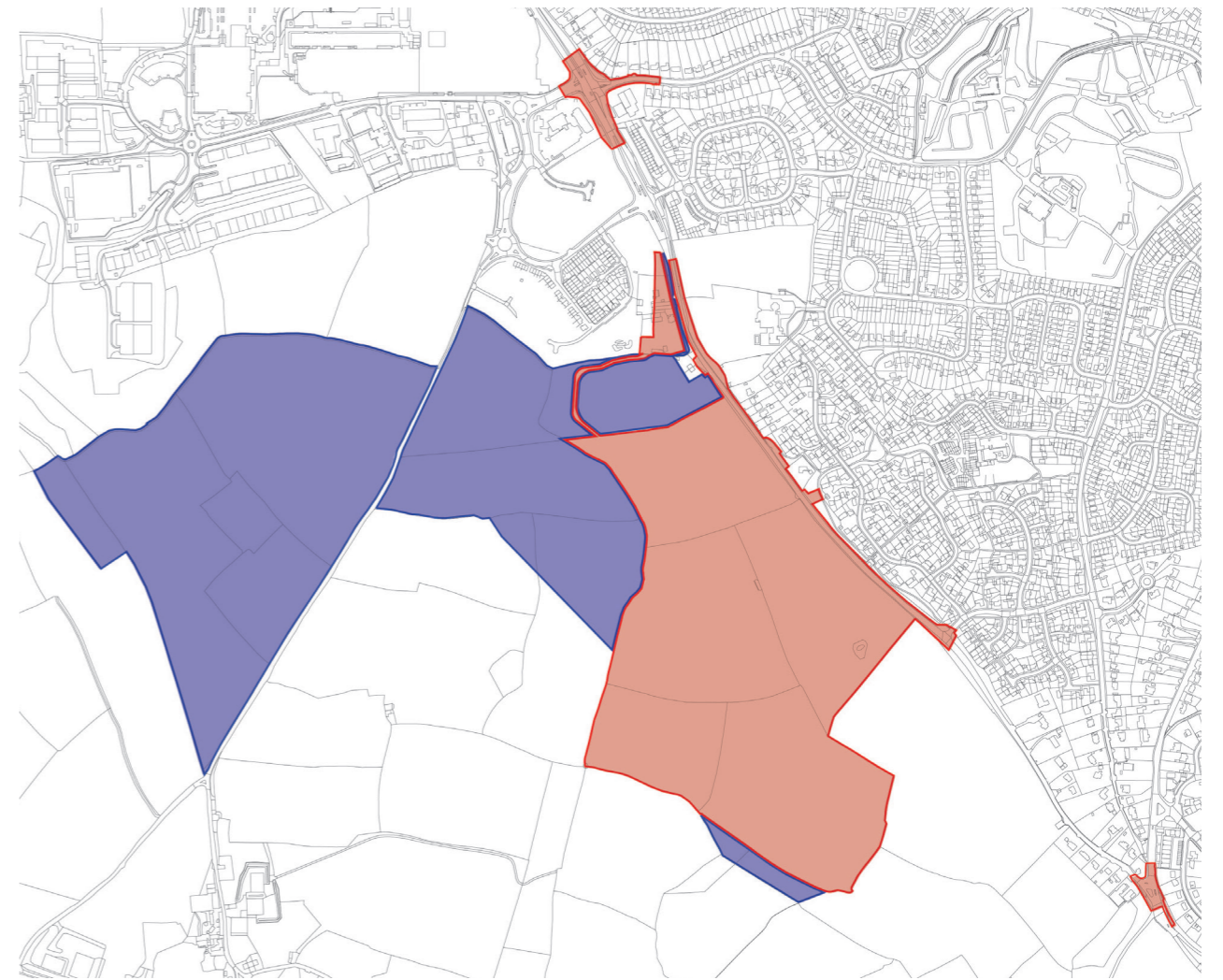
landscaping. It has subsequently been the subject of a number of reserved matters application and the commencement of the first two phases of residential development.

The two sites are separated by an area of woodland planting, forming part of the strategic landscaping and secured as mitigation as part of the section 106 agreement agreed in relation to the planning application.

In addition to the application site, the applicant owns further land immediately to the west and beyond Waddeton Road; the extent of the ownership is shown on the plan right.

The land (application site and offsite) is currently used solely for agricultural purposes. Details of the specific farming practices are contained within the Ecology Section of the Planning Justification, presented at the end of this Statement, within the Ecology Chapter of the Environmental Statement and the Farm Management Plan

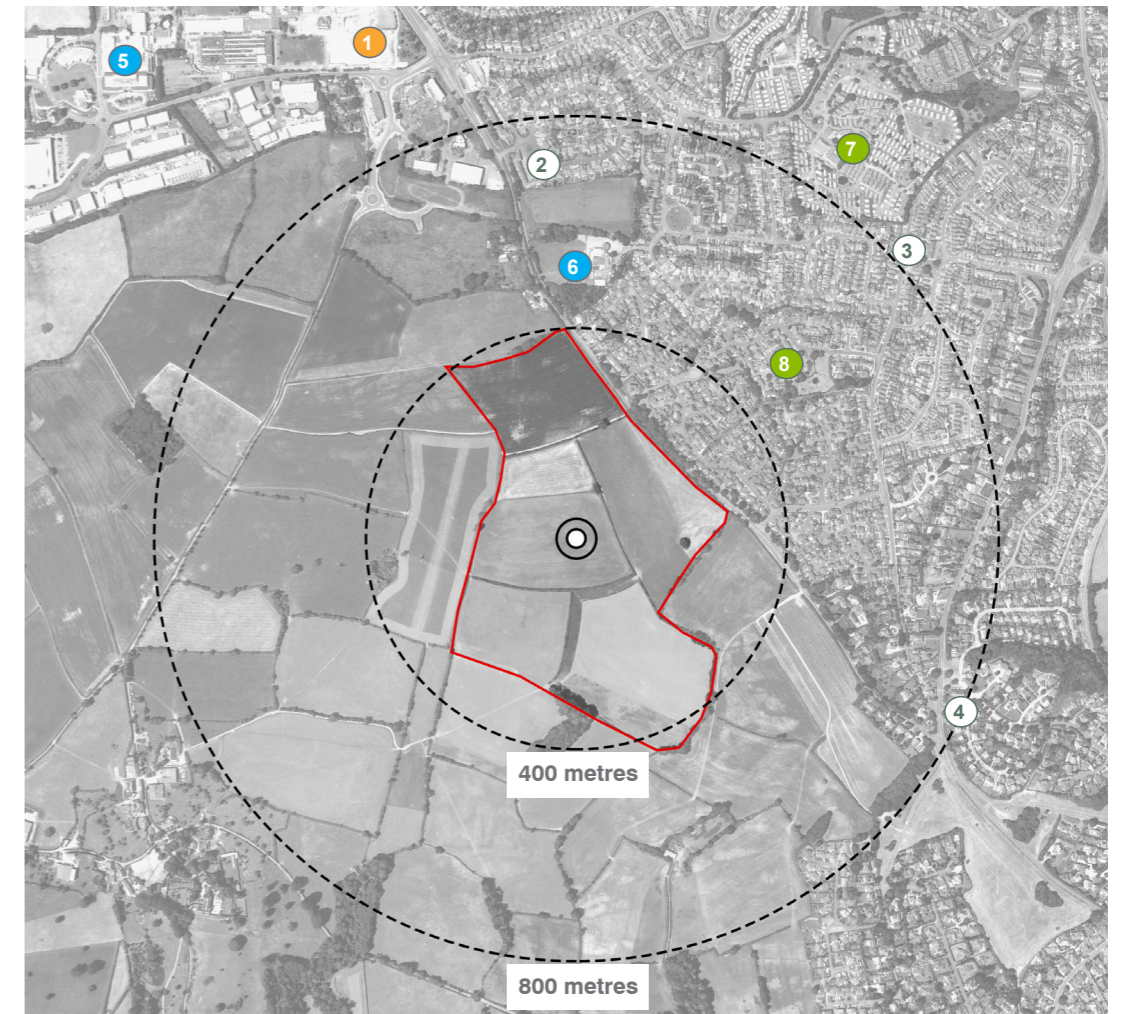
A plan showing local community facilities and key locations of interest is set out on the facing page, together with how these fall within walking catchment areas at 400m and 800m from the centre of the site.



Application boundary
Adjacent Abacus/Deeley Freed land



Western Corridor Linked Development



Local Community Facilities Plan Key

- | | |
|---------------------------------|---|
| Local Centre | Education |
| 1 White Rock 'Local Centre' | 5 South Devon College |
| Local Amenity Shops | 6 White Rock Primary School |
| 2 Kingsway Avenue Amenity Shops | Leisure |
| 3 Cherry Brook Amenity Shops | 7 Oasis Leisure Club Pool & Spa |
| 4 Dartmouth Road Amenity Shops | 8 Hookhills & Broadsands Community Centre |