

Chapter 4 – Employment

4.1

4.19 Proposal E1.19 Long Road South, Paignton

4.19.1 Objections

See list Appendix 4a

4.19.2 Issues

- a. the need for the allocation in quantitative terms;
- b. the economic justification for a 'prestige' business park development in Torbay and at Long Road South in particular, and the consideration of alternatives;
- c. the proposed deletion of the AGLV;
- d. the visual and landscape impact of development;
- e. the relationship of the proposal to Galmpton and the protection of the character of that settlement and residential amenity;
- f. whether due consideration has been given to archaeological and wildlife issues;
- g. whether the allocation would result in an unacceptable loss of agricultural land;
- h. whether the location is a sustainable one in terms of access by means other than the private car;
- i. highway considerations;
- j. the suggested PCI 4/2a.

4.19.3 Conclusions

1. During the course of the Inquiry and through reading the evidence before me I have been presented with extensive reference to the Inspector's report following the 1997 'White Rock' Inquiry (CD12/1). The White Rock Combined Action Group (WRCAG) and many individual objections contend that little has changed since the Planning application was refused on appeal. Whilst I accept that some points do remain the same, I agree with the Council that the current Local Plan proposal is significantly different to that considered at the 1997 Inquiry in terms of the economic needs and priorities for Torbay and the scale, prior assessment and mitigation measures proposed. Indeed the Local Plan proposal is a direct response to the 1997 Inspector's conclusions, particularly with regard to prematurity. Therefore, while I have examined the 1997 report and the reasons for refusal of the Planning application, my conclusions are based wholly on the evidence before me in relation to proposal E1.19 of the RDV, the current national, regional and local policy context and present economic circumstances.

Issue a.

2. In their objection to the proposal, WRCAG and the CPRE question the justification for the strategic requirement of 70 hectares of employment land for Torbay and suggest alternative approaches which would result in a lower land requirement. However the background to this figure was fully discussed at the Structure Plan EIP and it is a matter of fact that the approved Structure Plan seeks the provision of about 70 hectares of employment land in the period 1995 - 2011. It is not appropriate to re-examine the Structure Plan assumptions through the Local Plan process and the Local Plan must remain in general conformity with the approved Structure Plan or it cannot be adopted.

3. Elsewhere in this report, I have concluded that despite the economic downturn in the global economy, the evidence does not persuade me that the Plan is fundamentally flawed or that the overall level of provision should not be achieved. The Council have failed to find sufficient land to meet the 70 hectare figure with only 62.1 hectares of land allocated for employment purposes. This is an indication of the difficulty of finding the land rather than the appropriateness of the figure. Long Road South forms a sizeable proportion of the allocated employment land and as such, represents an important part of the overall provision. Therefore, in quantitative terms, I am in no doubt that there is a need for the allocation.

Issue b.

4. Proposal E3 of the Structure Plan (CD 4/1) requires the provision of a prestige employment site in Torbay. The glossary defines 'prestige site' as an employment site in a key location, requiring a minimum area of 12 hectares. The Council contend that failure to allocate a prestige site with the prime purpose of securing high profile employment uses would result in non-conformity with the Structure Plan.

5. The CPRE consider that Torbay is not the place for a prestige site. It is claimed that employers stop at Exeter when seeking sites and if they go further, it is to Plymouth. Furthermore, the CPRE have presented evidence on the decline of the electronics industry in the area and the recent downsizing of Nortel and the closure of the Plymouth Branch of GDS Uniphase. It is contended that the rise in unemployment in Torbay of 18% (July 2000 – July 2001) is due to redundancies in Sifam and Nortel.

6. However in my view, regardless of the cause of the growing unemployment in the area, the figures are a statement of fact which must be addressed. As I have already discussed in relation to the Kerswell Gardens site, E1.1, I accept the force of the argument that the Council should look to developing tourist-related employment but that this industry can only play a small part in overcoming the economic and employment difficulties faced by Torbay. It is a key part of the strategy, reflected in both the Structure Plan and the revised RPG 10, that Torbay should seek to re-dress the balance between housing development and employment growth in order to reduce the need for residents to travel further afield for work.

7. The Council see the problem faced by the electronics industry as a short term cyclical trend that will pick up when the global economy and electronics sector recover. They cite experience that Torbay is attractive to hi-tech industries. It is generally accepted that Torbay can never compete with Exeter or Plymouth in relation to communications but in my view this is not a valid reason to abandon all efforts. This is especially so because Torbay has a high quality environment, a skilled workforce, and comparatively good communications, which do much to outweigh any perception of peripherality.

8. I agree with the Council that the recent experiences of businesses such as Nortel and GDS Uniphase do not obviate the need for Torbay to diversify its local economy and reduce the current excessive reliance on the service sector.

9. The Council consider that the lack of a prestige site has been a critical factor in slowing down employment development in Torbay. From my knowledge of Torbay, it is clear that there is no previously developed site or opportunity for conversion of sufficient size or quality to accommodate a prestige business park. However, the Plan also proposes the Kerswell Gardens (E1.1), Riviera Way South (E1.2) and Riviera Way North (E1.3) as high profile locations suitable for business park developments. Whilst none of these allocations come close to the 12 hectare requirement for a prestige site, they are identified as high profile which may attract inward investors. An important objective of the Plan is to move towards a better balance in the local

economy and I accept that in order to achieve this there is no choice but to look to greenfield sites around Torbay in this area. I cannot view this approach as unsustainable given the potential of new business parks to produce local jobs and to reduce the need for employees to travel further afield for work. Furthermore, I am in no doubt that the availability of employment land immediately ready for development is fundamental in attracting inward investment, retaining existing employers and encouraging the formation of new businesses. Consequently, I consider that the Council are correct to identify a new employment opportunity to fulfil this objective.

10. The Council have taken the view that this is the only location capable of meeting the Structure Plan requirement. I have heard and read a large amount of evidence discussing the nature of prestige employment sites. At the Inquiry, Mr Gillespie for WRCAG, in response to my questions on this matter, identified the general characteristics of a prestige business park development as being:- a prominent location; a gateway site; a high profile site and buildings; a campus style development in an attractive setting; the ability to provide a wide range of ancillary facilities; and well located to major transport routes. It was contended by WRCAG that the Long Road South site failed to meet these requirements in all respects. The CPRE agreed that Long Road South does not have the flexibility to be developed as a prestige site given the severe constraints that would be placed on developers as a result of requirements relating to height, depth, landscaping, density of development and the use of materials. Given the high costs of development as a result of these requirements, it is considered unlikely that employers would be attracted to the site. South Hams District Council (SHDC) envisaged that the difficulties would be compounded if the site was occupied by a range and larger number of general employment type uses.

11. The difficulty faced by the Council in securing an acceptable site for prestige employment uses is not disputed. The Council indicate that while the gross area of the site is 13.5 hectares, taking account of the strategic peripheral landscaping and the proposed copse, the net developable area would be 11.8 hectares. Therefore, I accept that in terms of size, the site would be close to meeting the necessary 12 hectares.

12. The Council also indicate that if the site was viewed in conjunction with the allocation at Long Road (E1.17), the critical mass of developable land would be 17.7 hectares. However I cannot envisage these sites functioning together in this way because the timescale for development is different: the area on the southern side of Long Road was being developed in late 2001, and the campsite area is somewhat remote on the far side of Nortel House. Furthermore, proposal E1.17 does not identify Long Road site as a high quality business park or a prestige employment site. In my view it is highly likely that the sites would function independently rather than as a 'cluster development.'

13. The site and setting would undoubtedly provide a high quality environment. The Council have expressed confidence that design requirements and landscaping can be achieved as part of the development control process through the requirements of the Planning brief and through planning conditions and s106 agreements. Indeed, I am satisfied that the detailed requirements would be achieved through a comprehensive approach to policy and the direction provided by the Planning Brief.

14. The site is in a prominent location with easy access to the Ring Road and established employment and residential areas, sources of a readily available workforce. However, a major disadvantage is that this is not a gateway site and the distance from regional centres, motorways and other key communications could potentially represent a disincentive for major investors. However in their Topic Proof TP/4 the Council claim that since the 1997 White Rock Inquiry, three high quality B1 use companies have indicated a 'serious intention of developing a business park environment.' As a result of a lack of identified sites in Torbay, the companies relocated to

Plymouth, where 1500 new jobs were created. I have little evidence before me to substantially refute the Council's assertion that high quality employment uses can be secured at Long Road South.

15. The Council suggest that there is no readily developable site of the size and quality of Long Road South. Several alternative sites have been discussed during the Inquiry and in written evidence.

16. WRCAG suggest Edginswell as a location which merits further consideration as part of a cluster of employment sites at the main gateway of Torbay. At the Inquiry they identified an area west of Hamelin Way which they called 'Ganders Park' as an alternative. However the Council estimate that, taking account of land-take for the Kingskerswell Bypass and additional screening to reduce traffic pollution, the site size would be limited to 2 hectares. This would restrict any opportunity for substantial inward investment or local expansion. Furthermore, it would involve land within the Teignbridge DC area and is sensitively sited within the relatively narrow area of AGLV between the edge of Torbay and Kingskerswell. There is no evidence that the site is ever likely to become available and I concur with the Council that Ganders Park cannot be regarded as a feasible alternative.

17. In respect of the Yalberton Road site, the Council consider that the close proximity to a scrap yard, the presence of overhead power lines and the steepness of the terrain would be serious deterrents in creating a prestige business park environment for B1 uses only. I agree and refer to my conclusions regarding the site at paragraph 4.16.

18. My conclusion is, therefore, that there are no feasible or practicable alternatives to the allocation of the Long Road South site. As the Council correctly state, if the Plan is to come anywhere near to the provision of 70 hectares of employment land and also to provide a prestige business park site as required by the Structure Plan then all of the identified employment sites are needed. This is a persuasive argument but it remains necessary to consider the key question as to whether the identified need for a prestige business park in Torbay outweighs the visual, landscape, transport and other planning objections to the allocation at Long Road South.

Issue c.

19. The site is shown on the proposals map of the adopted Local Plan as lying within the Area of Great Landscape Value (AGLV). However, in allocating the site at Long Road South, the Council have considered it logical to draw back the AGLV boundary to accommodate the proposal. During the Inquiry, objectors were critical of the manner in which the Leithgoe report (*CD19/1*) appears to have accepted the allocations made in the consultation draft plan, rather than analysing the landscape quality based upon the existing situation. I have accepted CPRE's submissions on this point (see paragraph 4.5.3.9 above).

20. In my view, the crux of this matter relates to whether the site has materially changed to such a degree as to warrant exclusion from the AGLV. I note that the WRCAG highlights the particular importance of the site in landscape terms because it immediately adjoins the urban area on one of the key routes out into the countryside. The AGLV in this area is open and elevated in character and, when viewed from the south, clearly acts as an important buffer zone between Torbay and the AONB.

21. As I have indicated, the site is now fallow and pasture. However, it still retains its overall agricultural and open character. I note that the eastern part of the site is not, and has never been, as open to the remainder of the AGLV, however, I consider that there has been little material change in the landscape qualities since the original AGLV designation. Furthermore, I am

satisfied that the site continues to meet the criteria for AGLV status in the same way as it did when it was originally designated.

22. The AGLV designation is not intended to preclude development entirely and I do not consider that it should be altered on a flexible basis as and when opportunities for development arise. There is no doubt that Long Road South is in a very sensitive location in landscape terms. In my view it is illogical to delete the AGLV given that one of the purposes of the designation is to ensure that any planning permission fully takes landscape considerations into account. The position would then be analogous to that of the Hollicombe gas works site where, for particular reasons, the Council have chosen to retain a housing allocation in the Countryside Zone. Thus, for the reasons given, I find little to justify the Council's decision to remove the AGLV (policy L2) designation from the Long Road South site. I recommend an amendment to the proposals map accordingly.

Issue d.

23. I am particularly aware of the sensitivity of this site in landscape and visual terms. Indeed, the substantial amount of evidence submitted on this topic by all parties reflects the concern of the objectors and the Council. In my view, there is justifiable concern that the essential qualities of the AGLV and the AONB should not be compromised by unsightly and intrusive development.

24. The Council's case is that the site is set within the natural bowl behind the two ridgelines and is therefore a great deal less prominent than the 1997 White Rock site. It is considered that through the provisions of the policy (as revised by PCI 4/2a), the Planning brief and development control powers, a high quality of design and landscaping can be achieved to prevent inappropriate buildings on the site and to sympathetically assimilate new development into the landscape.

25. The site lies on the south western edge of Paignton to the west of Goodrington. Waddeton Road, a narrow country lane extending southwards linking Goodrington to Waddeton, divides the site into two distinct areas. To the east, the land comprises rough pasture bounded by mature hedgerows and trees. White Rock Knoll is located on the south eastern periphery of the field. At the highest point, the knoll reaches a height of 82 metres and includes a number of mature and prominent trees. As part of a development proposal, the Council would require additional planting on the knoll to strengthen the screening of the site from viewpoints to the south and east. From the high point of the knoll, the land slopes gently downwards towards Waddeton Road.

26. On the occasions of my inspections, the site to the west of Waddeton Road comprised fallow arable land bounded by hedgerows and the occasional tree. The site is partially screened to the west by a second ridgeline extending northwards from Waddeton Lane Plantation to a height of 91 metres. However, in comparison to the eastern part of the site, land to the west of Waddeton Road is more open in character and is less visually contained when viewed from the south.

27. In terms of its likely visual impact, the development of the site would be visible from the AGLV and the AONB. Given the sensitivity of this landscape and the setting of Torbay, I consider that screening and containment of development is of paramount importance.

28. Dealing firstly with the AGLV, the allocation would obviously result in the loss of 11.8 hectares of land subject to the designation. The primary purpose of the AGLV in this location is to prevent urban sprawl and maintain a buffer between the urban area and the AONB.

29. In my judgement, given that the ridge line at White Rock Knoll would not be breached, views across the open countryside towards the Dart Valley from the Hookhills housing estate and Brixham Road would not be adversely affected by development of the eastern section of the site.

In addition, I recognise the potential for appropriate landscaping to effectively screen development of this part of the site from the south.

30. However, in comparison I have greater concerns about the visual impact of the western part of the site on the AGLV. When viewed from the south, from within the AONB and the AGLV (including from within Galampton) the site clearly possesses similar qualities to the rest of the AGLV. I agree with the WRCAG that the site is more open and visible from some locations in both the countryside and from the urban edge and visual containment would not be so easily achieved.

31. Furthermore, a key issue raised by SHDC and other objections concerned the effect of off-site planting proposals on the character and landscape qualities of this part of the AGLV. These screening measures involve the creation of a number of new areas of woodland cover of predominantly native mixed broad leaf species.

32. I consider that such measures can play a part in minimising any harmful intrusion into the local landscape, however I am mindful that landscaping should not be an inappropriate addition to the AGLV. SHDC, WRCAG and others expressed concern that the block planting proposed would have a negative impact on the open character of the landscape. The level of landscaping proposed would significantly increase the amount of woodland cover (by an additional 10 hectares) in this largely open part of the AGLV. However, I realise that the landscape is a dynamic environment and I consider that additional planting on White Rock Knoll and to the south of the site could be appropriately integrated into the landscape over time. Such landscaping could be viewed as reinforcing the existing pattern of the landscape rather than imposing an artificial one. However, I have greater concerns about the effectiveness of the proposed landscaping to the south west of the site given that the areas proposed lie at a lower level than the ridgeline and at a greater distance from the development. It is likely that it would take a far longer time for this landscaping to become effective. Therefore, I consider it imperative that such planting should take place as soon as is practicably possible.

33. The northern periphery of the Dart Valley AONB lies approximately 1 kilometre to the south of the site. As part of my site inspections I have toured the South Hams area including the hills to the west of the Dart Valley, above Dartmouth and Dittisham. In my judgement, there is justifiable concern about the impact of views from the AONB and the need to ensure that the perception of its value and setting is not compromised. Due to its massing and white colour Nortel House can rightly be described as a 'blot on the landscape' and concerns that such development should not be repeated are understandable.

34. I recognise that PPG 7 does not stipulate that no development should ever be visible from an AONB and it is a point of fact that development on this site would be visible from some of the key vantage points of the AONB. Viewpoints such as Cornworthy, Fire Beacon Hill or on high ground above Greenway are at least 3 kilometres from the site itself. While the visibility of the site will be set against the backdrop of the urban area of Torbay, some of the views lie on the key public footpaths forming part of the Dart Valley Trail, an important tourist route. As and when the landscaping becomes effective, the visual impact of development would be mitigated to a degree. However, in the winter months when the tree cover of native species is sparse, the screening effect on the less self-contained parts of the site would be limited. Consequently, measures to minimise the scale and massing of buildings on the site are of paramount importance.

35. The Council accept that Nortel and RDL are prominent but are seeking to significantly reduce the impact of development at Long Road South through the use of extensive landscaping measures and strict restrictions on the height and colour of buildings. Precise details of design are matters that should be covered by the intended Planning Brief as indicated by criterion (ix) of

PCI 4/2a. However, as with the other sites, I consider that the Plan would be clearer if there was to be a site description in the Plan text which sets out the main factors to be covered in the Planning Brief, including the measures identified above. Given the sensitivity of this site in landscape terms, this should include a height restriction for any buildings on the site.

36. In my assessment any building which tops 75 m. ASL is likely to be visible from parts of the Dart Valley. As I have already indicated, I consider that the potential to achieve a degree of self-containment on the eastern section of the site is far greater than the western. However, PCI 4/2a proposes stringent restrictions on the height of buildings and the materials that should be used. Across the whole site, no building at any point should exceed a height of 8 metres above the existing ground level and in addition, on the western part of the site the maximum height of any building should not exceed 81 m. ASL. The Council advocate the use of recessive materials and colours. Furthermore, I note that development on this part of the site would be phased to come into effect as and when the off-site landscaping schemes are established. While the tops of buildings may remain visible in the long term from high land within the AONB, I am confident that sensitive design and massing and appropriate landscaping could reduce the intrusiveness of any development.

37. In balancing the need for employment land in Torbay against the landscape and visual implications of development, I am satisfied that PCI 4/2a incorporates sufficient safeguards to minimise the visual impact of development. I consider that these safeguards must be rigorously observed, in order to achieve an acceptable development.

Issue d.

38. Despite concerns expressed about the erosion of the gap between Paignton and Galmpton, the Council do not see the allocation Long Road South as setting a precedent for further development into the open countryside. In view of my conclusions above regarding landscape considerations, I am satisfied that the topography of the site and the presence of White Rock Knoll and the ridgeline represent a natural edge to the urban area. I consider that it would be wholly unacceptable and unnecessary to breach this ridgeline.

39. The Galmpton Residents Association have expressed concern that surface water run-off from the site could potentially increase the level of flood risk in Galmpton. I see that note S has been added to the RDV for sites 14-17 and 19 to denote care is required to avoid flooding. On these sites, the Council will require remedial measures in place prior to the commencement of development and the Council sees sustainable drainage measures as an integral part of development at Long Road South. Furthermore Policy EP11 is in place to ensure that new developments do not exacerbate flood risk. I see no reason why a cross-reference to Policy EP11 should not be included in the policy. These provisions should allay any fears about an increased flood risk in Galmpton.

40. I have also read and heard about concerns of Galmpton residents regarding the suggestion to close Waddeton Road to all but emergency vehicles. This issue has come to light as a result of the formal consultation draft of the Planning Brief (*CD 12/4*). PPG 12 paragraph 3.14 is clear that policies in development plans should concentrate on those matters which are likely to provide a basis for considering planning applications. Given that the Council have indicated that the closure of Waddeton Road forms no part of the Plan and is not a prerequisite for the proposal to proceed, it would not be appropriate for me to make any recommendations on this matter.

Issue f.

41. In written representations, Kingswear Parish Council and Mrs Mazumdar claim that the site contains many archaeological remains which could be seriously affected by the proposed development and associated tree planting. The Council have highlighted that the Planning Brief (CD12/4) identifies the two sites of archaeological and historical interest situated within the site and also refers to the presence of several artefacts to the south west which could be affected by off-site landscaping and tree planting. The brief indicates that any proposals for development would be dealt with in accordance with the procedures of PPG 16. Furthermore, any sites of archaeological potential would also be subject to policy BE11. I see no reason why reference to this Policy BE11 should not be included within the policy context. Therefore, I am satisfied that these provisions should afford sufficient protection from any harmful development.

42. Turning to the matter of wildlife interests, I have little evidence before me to contest the Council's assertion that recent assessments (1998 Wildlife Survey update) have not found any features of ecological importance on the site. Therefore, I consider that there is no identifiable reason for the development not to take place on wildlife grounds.

Issue g.

43. The CPRE and SHDC claim that the proposal would result in an unacceptable loss of agricultural land. It is highlighted that recent changes to PPG 7 advice introduce a sequential approach in which the utilisation of the agricultural land for development comes last. Only if it is unavoidable should the development of the best and most versatile agricultural land be contemplated.

44. I think it is significant that the then MAFF did not object to the loss of agricultural land in this area. I recognise the importance of agricultural land to the environment and the economy, as well as the protection afforded to best and most versatile farmland. However, planning policy does not forbid development on higher grade land where there is an overriding need. I am satisfied that the Council has demonstrated convincingly that there is no feasible alternative to this site on lower grade farmland or on a previously developed site. Consequently, I consider that the economic need for the development of this size, as required by the Structure Plan, outweighs its value for agricultural purposes.

Issue h.

45. I have had regard to the point made by the WRCAG and the Galmpton Residents Association (GRA) that this site, in common with the other employment sites proposed in this general area, is not well related to town or district centres or located close to major public transport interchanges, as is sought by PPG 13. Indeed it is contended that the area is not well served by public transport, with limited bus services and poor walking and cycling access. Moreover the GRA indicate that the site is some distance from the population epicentre lying between Torbay and Paignton and would require a significant use of private transport.

46. However, I have also noted that the Council have carried out extensive survey work to identify a site of sufficient size for a business park in and around the town centres and in the established urban areas, but with no success. I accept the Councils' point that failing to provide sufficient employment in Torbay is likely to result in out-migration to employment opportunities in Newton Abbot and beyond, leading to significant increases in car use. In addition, I have had regard to the results of survey work undertaken for the Council which indicate that the majority of work trips made in the Torbay area are relatively local in nature, and that the vast majority of employees within the employment areas adjacent to Brixham Road live within the Torbay conurbation.

47. In these circumstances I am persuaded by the Councils' arguments that the disadvantages of this out of town location are outweighed by the proximity of the site to a large section of the potential workforce; the close proximity of established hi-tech companies and other employers which are likely to create the 'critical mass' of employees required for successful car-sharing schemes and to ensure ongoing commercial viability for bus services; and the potential to significantly improve the quality and frequency of bus services, and cycle access to the area. I do, however, acknowledge that achieving these aims will not be easy, and will require the Council to rigorously pursue the implementation of appropriate Company Travel Plans, as sought through policy T1.

48. I have been led to this view by the fact that PPG 13 places great emphasis on sustainable transport and seeks the integration of transport links and sites which provide the basic conditions for sustainable travel plans to succeed. The reduction of car use through sustainable urban transport measures is a critical component of national transport policy and PPG 13 seeks to achieve this through the adoption of maximum car parking standards on-site and the implementation of Company Transport Plans.

49. Although the Plan makes provision for these measures (*see Chapter 15*), it would be strengthened by including them as a requirement in the policy and through the Planning brief. Such an approach accords with national policy and, provided the Council are rigorous in their pursuit of appropriate Company Transport Plans and the necessary highway improvements, discussed below, I see no reason why a substantial modal switch should not be achieved. With this policy in place and given the proximity of the local workforce and the concentration of existing employment uses in the area, I am satisfied that Long Road South can be made sustainable in terms of accessibility by means other than the private car.

Issue i.

50. The GRA, the WRCAG and others express concern about the effect of more traffic on the already congested ring road, whilst the Kingswear Parish Council set out existing problems with traffic in certain locations. In particular, objectors take the view that the Tweenaways Cross junction would not be able to cope with the additional traffic likely to be generated by this and the other new employment sites proposed. I can understand these concerns and acknowledge that

in the context of the type of traffic assessment undertaken a few years ago, there would be genuine fears that this junction would not be able to cope satisfactorily with the level of traffic demand anticipated.

51. However, the Council contended that the 2001 version of PPG 13 and its emphasis on integrated transport systems, together with measures such as travel plans aimed at reducing car use, has brought about a 'sea change' in national transport policy. I generally support this view and consider that the Councils' approach of seeking to influence travel demand to accord with modest but necessary increases in highway capacity, rather than attempting to cater fully for predicted car use, is now correct. In my opinion this has to be the way forward if the Government's aims are to be achieved, and indeed if economic growth is to be sustained. It means that difficult and at times unpopular decisions and choices will have to be made but, as PPG 13 warns, the way we travel and the continued growth in road traffic is damaging our towns, harming our countryside and contributing to global warming.

52. In terms of access to the Long Road South site itself, no firm evidence has been submitted to persuade me that safe and efficient arrangements for buses, cars and cyclists could not be put in place. The Council rightly place emphasis on measures to reduce traffic generation and this can be achieved by requiring new developments to implement appropriate Company Transport Plans as discussed above. Any development would also need to take account of current government guidance on limiting car parking space by means of maximum car parking standards.

53. The broader issue of traffic generation along the ring road is one that the Council have investigated by commissioning consultants to consider this matter in some depth. As a result, they have concluded that the existing ring road should be able to cope with the anticipated flows subject to improvements at Tweenaways Cross and Kings Ash Road, the implementation of Company Transport Plans and public transport and cycling improvements. All of these measures are provided for in the Plan.

54. Proposals for the improvement of Tweenaways Cross junction were tabled at the inquiry, and I have had regard to the critical comments made about the submitted design on behalf of the WRCAG and others. Nevertheless, there was a general consensus that a workable solution could be found, albeit with the requirement for some third party land-take. Moreover, although there was some debate about the reliability of the Councils' predicted traffic generation from the site, I take the view that the generation rates used, which allow for some light industrial development on the allocated sites as a whole, are reasonable. I note that this improvement, together with an improvement to Kings Ash Road and other key junctions on the Ring Road in this locality are already programmed in the Local Transport Plan (CD/23/1).

55. I have already noted in the previous section that implementing such a transport policy will not be easy. Nevertheless it is my opinion that the physical improvements proposed, together with the policy commitments to pursuing Company Travel Plans and other measures aimed at reducing car use and improving transport choices (*see Chapter 15*), will mean that the proposed developments at Long Road South and the other nearby locations should be able to proceed without giving rise to significant traffic problems.

Issue j.

56. SHDC welcome the inclusion of some of the key elements of the Planning brief in the expanded policy E1(a) as suggested by PCI 4/2a. However, WRCAG raise the issue that even if the Planning brief is finalised by the Council, there is no assurance that the measures would be enforced in full.

57. I accept that there is good reason to include relatively more detail in this policy, as opposed to other site-specific policies, given the sensitivity of the location on highway and landscape grounds. However, the Council is in no doubt that the Planning brief should provide clear guidelines and represent a reasonable expectation rather than a best case scenario. It is my firm view that in order to ensure the necessary environmental safeguards on this sensitive site, the policy should explicitly state that it is a requirement for development to accord with the principles of the brief. Then, should a development proposal not so accord it would be contrary to the development plan, the provisions of s54A of the TCP Act would apply and the departure procedures may be invoked. Subject to that proviso, I am satisfied that the requirement to accord with the principles of the Planning brief would be an integral component of the consideration of any development proposal.

58. Criterion (xi) of PCI 4/2a refers to the Planning brief being required to give effect to the requirements of the policy. However, as I have indicated elsewhere in this report, such a statement should not be part of the policy itself, but is more appropriate in the supporting text. A planning brief is normally prepared as Supplementary Planning Guidance before an application is submitted to assist developers in shaping their detailed proposals. The brief would normally be expected to provide the detailed background to the requirements of the policy that the Council will expect to be covered in the Planning application. Therefore I have recommended a revision to the wording of the policy and the supporting text to more appropriately reflect the purpose of the Planning brief.

4.19.4 Recommendations

4.29 Modify policy E1 in the Plan by deleting the notes in the table for proposal no. 19 Long Road South, Paignton and including instead a new policy E1(A) worded as follows:-

4.30 The development of a prestige business park at Long Road South (11.8 hectares) is proposed. The following policy requirements will apply:-

- (i) the development will be implemented in two phases, divided by Waddeton Road, identified as E1.19.1 (first phase) and E1.19.2 (second phase) on the Proposals Map. Development on Phase 2 will only be permitted after the peripheral on-site tree planting and landscaping has been established for at least two planting/growing seasons, and is considered satisfactory by the Council;**
- (ii) the development will be restricted to B1 uses under the Use Classes Order, although uses ancillary to B1 uses may be acceptable; B2 uses will not be acceptable;**
- (iii) the layout, design, height of buildings and materials used in the development should respond to the character and scale of the landscape setting; a high quality development is sought;**
- (iv) the development should include the provision of on-site and off-site planting and structural landscaping works pursuant to Policy L11;**
- (v) appropriate flood alleviation measures should be implemented in the context of Policy EP11;**

- (vi) appropriate archaeological assessment should be implemented in the context of Policy BE11;
- (vii) arrangements for access to the site will be subject to a Transportation Assessment (TA) which clearly sets out sustainable transport solutions for all means of travel, including pedestrians, cyclists and public transport; off-site highway improvements will be required;
- (viii) any proposal for development would be required to ensure that the site is developed in a comprehensive manner in accordance with the principles set out in the Planning brief.

4.31 Bring forward the text in paragraphs 4.60 – 4.68 to follow the new policy and replace paragraphs 4.69 and 4.70 with the following:-

The Planning Brief for the Long Road South site will encompass the following:-

- a) main pedestrian circulation, cycle routes, parking provision and layout of car parks; road layout, sustainable transport arrangements (including a comprehensive travel plan);
- b) a landscaping and planting scheme;
- c) details of flood control and sustainable drainage measures;
- d) details of design, form, including footprints, size and height of buildings, massing, roofscape, materials and colours, and advertising;
- e) the location and specification of external lighting;
- f) a clear indication of the visual, physical and functional impacts of the development on the AGLV (and the settlements within) and the AONB;
- g) archaeological assessment within the envelope of the proposed business park and in areas of off-site landscaping.