



TORBAY LOCAL PLAN

A landscape for success

The Plan for Torbay: 2012 to 2030



A landscape for success

Adopted December 2015

LOCAL PLAN POLICIES DOCUMENT

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PREFACE

Adoption and operation of the Local Plan

The Torbay Local Plan 2012-2030 was adopted by Torbay Council at its meeting on 10 December 2015 (Minute 97/Council 2015). The Local Plan subsequently became operative on the same date.

Further details are set out in the Notice of Adoption, the Local Plan Adoption Statement and related Appendices, and the Sustainability Appraisal Adoption Statement, published in December 2015.

Accordingly, the Torbay Local Plan 2012-2030 supersedes the previous Adopted Torbay Local Plan 1995-2011. This is with the exception of Sections 13-15 (The Historic Environment) and Sections 16-19 (The Natural Environment) of the 2004 Adopted Torbay Local Plan Environmental Guide, which continue to retain weight as supplementary planning guidance in the determination of planning applications, subject to their consistency with policy and guidance in the National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG). Further details are set out in Paragraphs 1.2.10 to 1.2.17.

The Local Plan provides a policy framework for the proposed Torquay, Paignton and Brixham Peninsula Neighbourhood Plans that are being prepared for the area. These three Plans, together with the Masterplans that have been adopted for key growth areas, will help to deliver the Policies of the Local Plan at a more detailed neighbourhood level.

When 'made' (or adopted), the three Neighbourhood Plans and the Torbay Local Plan 2012-2030 will form the development plan for Torbay.

Format of the Local Plan

The published Adopted Torbay Local Plan 2012-2030 is available in two formats:

Firstly, a **paper version** comprising two separate parts:

The **Torbay Local Plan Policies Document** (this document), which sets out details of:

- 】 The opportunities in the area and the challenges faced
- 】 The vision and ambition of the Local Plan
- 】 The spatial strategy and policies for strategic direction
- 】 Strategic Delivery Areas, providing a policy framework for neighbourhood plans
- 】 Policies for managing change and development in Torbay
- 】 Delivery and monitoring
- 】 Appendices containing details of supporting material

The **Torbay Local Plan Key Diagram and Policies Map Booklet**, which sets out details of :

- ▶ The geographical location of the Strategic Policy Areas and Strategic Delivery Areas that form the basis of the Plan's Spatial Strategy (shown on the Key Diagram)
- ▶ The location of Future Growth Areas and the areas that are the subject of a wide range of detailed Local Plan Policies and Proposals, together with a number of related spatial planning matters that are shown for information (shown on the Policies Map Sheets and the large scale Town Centre Inset Maps).

Secondly, the Local Plan is available as a **web-based electronic version** comprising the above Torbay Local Plan Policies Document and the Torbay Local Plan Key Diagram and fully interactive Policies Map, accessible via www.torbay.gov.uk

The Sustainability Appraisal and Habitats Regulations documents that accompany the Local Plan are also available on the Council's website.



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1. INTRODUCTION

1. INTRODUCTION

1.1 The Plan in a nutshell

Sustainable, realistic ambition

1.1.1 This is a Plan for growth, within environmental limits.

1.1.2 Torbay has a strong 'Unique Selling Point' or USP. It is the English Riviera, with a world class tourism offer. It has glamour, high profile businesses, a fantastic marine setting and internationally important environmental assets. It also has lots of potential, with an increasingly skilled workforce; increasing numbers of small and micro businesses; a large catchment population; increasingly good connections to national and international markets; space and opportunity for development; and town centres that are ready for regeneration. Innovation and creativity are needed to respond to this potential. Consequently this Plan is not unduly prescriptive, encouraging an entrepreneurial approach and supporting projects that provide high quality outcomes for the Bay.

1.1.3 Torbay has seen the highs and lows of change. For example, between 1998 and 2008 around 3,000 net new jobs were created, with 5,000 gained in 2000/01 and 4,000 lost in 2001/02. Since 2006, Torbay has seen a 'high' of more than 800 new homes built in 2007/08 and a 'low' of 250 in 2012/13. These peaks and troughs will continue in the future, but the Local Plan seeks to set out a sustainable strategy to accommodate needs within environmental and infrastructure limits.

1.1.4 The Local Plan takes a 'bandwidth' approach to growth. Serious economic and social consequences result from low levels

of growth, as has been seen between 2008 and 2013; but growth that is too high causes irreversible environmental damage and infrastructure failure. Between these two margins, growth and change is sustainable. Sustainability appraisals have tested a range of growth scenarios, ensuring the Local Plan is based on the most sustainable bandwidth for Torbay.

1.1.5 In broad terms, sustainable growth over the long term is defined as 250-300 net new jobs per year and 400-500 new homes per year. The total number of new homes, over the next 18 years is based on achieving economic recovery and success. During the first 5 years, growth is likely to be at the lower end of the bandwidth as the economy recovers, The Local Plan's strategy will be subject to major five year reviews, where evidence of the need for development and the Bay's capacity to accommodate it will be reassessed (see Section 7.5)

1.1.6 The careful assessment of spatial options for growth has shown the three town centres, Torquay Gateway and West Paignton to be the most sustainable locations. Masterplans have been produced for Torquay and Paignton Town Centres, to help bring new life and investment to those vital centres. Masterplans for Torquay Gateway and West Paignton (Great Parks and Collaton St Mary) focus on place-making and further define the type, scale and timing of development in those areas.

Environmental capacity

1.1.7 Crucially, the Plan recognises the unique quality of the Bay's environment, both natural and built. It is this quality and character that draws in people, investment, businesses and visitors. It is vital this Plan protects and enhances that quality, to bring more investment, more visitors and more people into the Bay.

1.1.8 If the quality of environment is eroded – by breaching the Bay's environmental capacity – new investment, business growth and visitors numbers start to decline, with long lasting effects. So we have to plan carefully, ensuring we get the balance right - protecting and enhancing the Bay's USP whilst also making the most of its 'Under-Sold Potential', such as its town centres, harbours and people. We have to ensure that we do not over-commit now to too much growth and change, but that we take careful stock every five years in order to make positive, informed and confident decisions about the future. The Council has assessed for example, that there is land for around 9,200 homes over the next 20 years without breaching environmental limits. The Strategic Housing Land Availability Assessment 2013 (SHLAA), and other evidence, shows that additional land for housing would have significant constraints to delivery, such as the Area of Outstanding Natural Beauty (AONB), valuable open space and loss of holiday accommodation.

Jobs, jobs, jobs

1.1.9 The Local Plan, working alongside Torbay's Economic Strategy (2013), supports a step change in the economic fortunes of the Bay. The Plan is based on achieving 5,000–5,500 net new jobs to 2030, mirroring the 300 jobs per year created during the 'boom' years of 1998-2008. Since 2008 there has been an annual loss of about 50 jobs per

year, so intervention is required to improve Torbay's economic performance. Buildings, land and infrastructure will be brought forward to support business growth and investment, and to support the Bay's USP, for example in tourism, business services and health.

1.1.10 To meet the needs of new and growing businesses, especially Small and Medium Enterprises (SMEs), a minimum of 17 hectares (ha) of employment land is needed over the next 18 years. Over half of this is for non-Use Class B uses such as retail, tourism and leisure; about 7 hectares is for office space and up to 1 hectare for industrial land. There is sufficient, deliverable space available – in key locations such as Edginswell Business Park, Torquay – to meet demand, created by the South Devon Highway for example, for the next 5 years. However, high quality, well-located and serviced space is needed in the Bay in the medium to long-term. There is therefore an emphasis on bringing forward high quality commercial space, particularly in town centres; on bringing forward new employment land, such as at Edginswell; and on mixed use developments, such as White Rock, where limited residential development is being used to pump prime necessary employment space.

Homes for all

1.1.11 A decent home is fundamental to people's quality of life. A balance and mix of homes, in each community, is crucial to a healthy, sustainable community. The Local Plan sets out the ways in which new homes will be provided to meet demand and need over the next 18 years.

1.1.12 The land and space for new homes falls into three clear categories:

Existing commitments: These include unimplemented planning permissions (standing at around 1,900 new homes as at January 2014) and sites, such as Great Parks, which have previously been identified but have not yet been delivered. In broad terms, these sites cater for demand over at least the first five years of the Plan period and provide total capacity for around 2,600 homes (see also Appendix C).

Identified sites: These are sites that have, mostly, been identified in the SHLAA and will be allocated in Neighbourhood Plans for Torquay, Paignton and Brixham Peninsula. These sites are shown for information in the Policies Map and broadly cover demand in the medium term (see Appendix C).

Future Growth Areas: These are areas, such as Torquay Gateway, in which jobs, homes and green infrastructure will be delivered, following partnership working between the Council, community and landowners to identify opportunities to create better balanced communities, plus the sites, nature and timing of development needed to meet demand. These sites will generally meet demand over the longer term.

Infrastructure

1.1.13 The Local Plan recognises the need to invest in infrastructure across the Bay – whether in green infrastructure or additional road capacity. Much is already being done to improve infrastructure, including new community parks in White Rock and Great Parks, a new rail halt at Edginswell, an enhanced ferry service across the Bay and increased capacity on the Western Corridor.

1.1.14 At present, infrastructure ‘pinch points’, such as shared sewers in Paignton, affect the ability of parts of the Bay to grow.

There is a funding gap of around £160M for new infrastructure, of which about £52M is needed for critical infrastructure. So, further investment is needed, ahead of or in tandem with new development, to support business growth, to support the delivery of new homes and to create more sustainable, healthy communities. This Plan supports investment in critical and necessary infrastructure.

Monitoring

1.1.15 The Local Plan will be monitored annually against the delivery of, for example, jobs, infrastructure and land supply, and the release of sites will be carefully managed accordingly. Additionally, there will be a major review of the Plan every five years, working with partners in other Local Authorities. A range of measures will be assessed and used to determine whether the Local Plan’s growth strategy remains supported by evidence of need and capacity. It will consider whether additional land is needed; for example where there is ‘planning failure’ (e.g. lack of land available) there may be a case to increase land supply. However, where there is ‘market failure’ (e.g. lack of delivery of new homes), other solutions to allocating more land are likely to be appropriate. Conversely there may be a case to reduce growth rates if there is evidence of oversupply against objectively assessed need and demand. Major changes arising from formal review are likely to require public consultation. The Council will ensure that – as a minimum – there is a 5 year supply of housing land measured against Local Plan requirements. Further information is set out in Section 7.5.

1.1.16 Torbay, Teignbridge and South Hams Councils have agreed to a co-ordinated and positive review of the Councils’ Local Plans every five years taking account of joint monitoring. This review will consider the need

for and location of further development on a sub-regional basis, taking account of jointly prepared and consistent evidence, in order to

inform future reviews of the three Local Plans. Further information is set out in Section 7.5.

1.2 More about the Plan

Introduction

1.2.1 'A landscape for success' is the new Local Plan for Torbay, covering the period from 2012 to 2030 and beyond. This Plan includes matters that relate not only to the use of land but also to other matters such as funding and infrastructure (including roads, schools, water supply and climate change). For this reason it is called a 'spatial plan'.

1.2.2 This Plan has already been shaped by engagement with local residents, visitors and other key stakeholders. This includes an early 'Issues and Options' document for the former Core Strategy published in 2006, followed by the 'Vision, objectives and options for growth in Torbay' document published in 2009. The debate triggered by this document was later supplemented by a Stakeholder Workshop in October 2010 that focussed on the scale and distribution of new development. In Autumn 2012 a draft Local Plan was published for consultation, setting out the Preferred Option for growth; the healthy feedback has subsequently informed this Plan. Consequently the Plan now provides a high level strategy for the Bay, plus specific proposals for each town and site specific proposals for the necessary 5 year supply of land for new homes. Local councillors and the community have been continuously involved in the Plan's evolution and, more recently, in the refresh of parts of the evidence base, such as the Strategic Housing Land Availability Assessment (SHLAA). The Policies and Proposals in the

Plan have been the subject of testing through the Sustainability Appraisal and Habitats Regulations Assessment processes (see Figure 1). Councillors and the community (business and resident) will be involved in the delivery of the Plan and in its review.

Links to other plans

1.2.3 There are several other 'business plans' that set out a commitment to deliver a much improved and more prosperous Torbay. A key objective of the planning system is to help deliver the objectives of the Torbay Community Plan 2011. The Local Plan also takes account of other strategies including Torbay Council's Corporate Plan, Economic Strategy, Tourism Strategy, Local Transport Plan, Climate Change Strategy, Marine Action Plan, Tor Bay Harbour Authority Ports Masterplan, Green Infrastructure Delivery Plan and emerging Neighbourhood Plans (see Appendix B for more details).

Our duty to co-operate

1.2.4 In economic, social and environmental terms, Torbay functions as part of a much wider area. Inevitably, preparation of this Plan involves tackling issues that don't always conform to administrative boundaries - geographic markets for new homes and jobs are examples. In addition, looking after the needs of the Bay's unique landscape and wildlife requires a 'cross-border' approach and there are examples of strategic

infrastructure that cannot be delivered locally. Similarly, a number of retail centres depend on wider than local expenditure. Where spatial planning has influences beyond Torbay, there is a need to work with adjoining and nearby local authorities, statutory bodies and other relevant organisations.

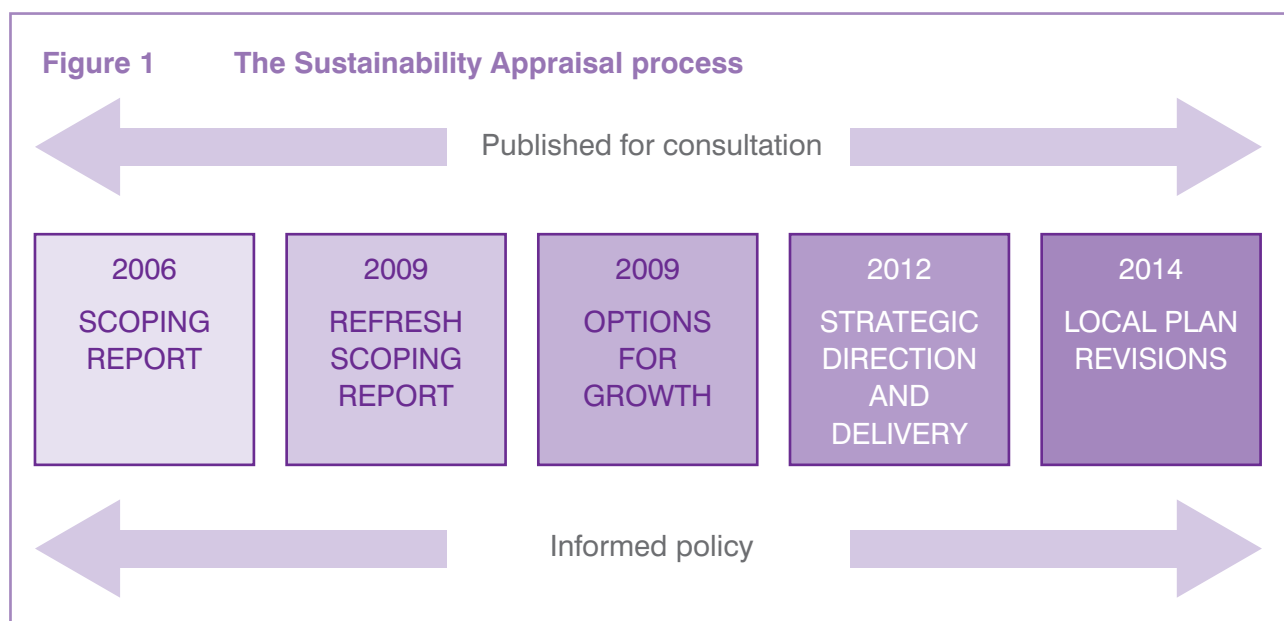
1.2.5 This approach has now been formalised as the ‘Duty to Co-operate’, under the Localism Act 2011 and National Planning Policy Framework (NPPF). The Act requires councils to co-operate with their neighbours “constructively, actively and on an ongoing basis” when preparing local plans. The extent of co-operation is a key test of soundness of the Plan.

1.2.6 Preparation of this Plan has involved, and continues to involve, engagement and co-operation across a wide range of strategic topics. A separate statement has been produced to show what Torbay Council (and others) is doing to co-operate with a range of stakeholders.

1.2.7 Whilst there is no requirement for agreement between neighbouring Councils, Torbay, Teignbridge and South Hams have

nevertheless agreed on a range of key issues, including provision of new homes. There is agreement that Torbay forms a separate housing market area from the Exeter and South Devon Housing Market Area, which includes most of Teignbridge. On the important issue of new homes, Torbay and Teignbridge Councils have identified sufficient and deliverable land to meet demand for new homes for at least the next 15 years, with a wider pool of sites in Torbay to last at least 20 years. The Councils have agreed to a co-ordinated and positive review of Local Plan delivery, including new homes, every five years. This review will consider the need for and location of further development across South Devon, and sites to satisfy that demand. It will take account of jointly prepared evidence, in order to inform future reviews of the three Local Plans (see also Section 7.5).

1.2.8 Memoranda of Understanding have been agreed between Torbay Council and Devon County Council in respect of both waste and mineral policy matters. In addition, the Council is a signatory to the Devon-wide Duty to Co-operate Protocol. This sets out arrangements for co-operation on planning



policy between Devon County Council, Unitary and District Councils and a range of key statutory bodies.

Structure of document

1.2.9 This document consists of seven key Sections plus Appendices, as follows:

1.2.10 The Appendices to this Plan include

Section 1. Introduction

Section 2. Opportunities and challenges

Section 3. Vision and ambition

Section 4. Spatial Strategy and policies for strategic direction

Section 5. Strategic Delivery Areas – a policy framework for Neighbourhood Plans

Section 6. Policies for managing change and development in Torbay

Section 7. Delivery and monitoring

Appendices

a 'Glossary of terms' used in this document, and a range of supporting information.

Status of the new Local Plan

1.2.11 This document, together with the related Key Diagram and Policies Map Booklet, comprises the final Adopted version of the Local Plan. The Torbay Local Plan 2012-2030 (TLP) was formally Adopted by the Council on 10 December 2015.

1.2.12 Adoption represents the culmination of a statutory plan-making process that has

taken place in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012, the Planning and Compulsory Purchase Act 2004, and the Localism Act 2011.

1.2.13 The key stages of this process are illustrated below:

- 】 TLP Consultation Draft Plan - Published 28 September 2012
- 】 TLP Proposed Submission (Publication) Plan - Published 24 February 2014
- 】 TLP Submission to Secretary of State - Submission 31 July 2014
- 】 TLP Examination Hearing Sessions - Held 18-20 November 2014
- 】 Inspector's 'Initial Findings' - Received 15 December 2014
- 】 Inspector's 'Further Findings' - Received 23 December 2014
- 】 Council's Proposed Main & Additional Modifications to TLP - Published 9 February 2015
- 】 Council's Response to representations to Proposed Main & Additional Modifications to TLP - Published 22 April 2015
- 】 Council's Proposed Replacement Main & Additional Modifications to TLP - Published 18 June 2015
- 】 Council's Response to representations to Proposed Replacement Main & Additional Modifications to TLP - Published 14 August 2015
- 】 PINS Report of the Examination into Torbay

Local Plan - Published 12 October 2015

» Adoption of Torbay Local Plan 2012-2030 - Council Meeting, 10 December 2015

1.2.14 This Plan has been the subject of an ongoing and interactive formal process of Sustainability Appraisal from the outset to ensure that it is acceptable in terms of its social, economic and environmental impacts. It has also been the subject of a Habitats Regulations Assessment, in close liaison with key stakeholders. The Plan will be monitored to ensure that it meets Specific, Measurable, Agreed, Realistic and Time-based (SMART) targets.

Relationship with previous Adopted Local Plan

1.2.15 The newly Adopted Local Plan replaces the previous 'Saved' Torbay Local Plan 1995-2011, adopted in 2004, and supercedes all of the Policies and Proposals set out in the Written Statement and accompanying Proposals Map Booklet. 'A landscape for success' is now part of the statutory development plan for Torbay, providing an updated development strategy and a revised set of Policies for development management over the Plan period.

1.2.16 Once the three Neighbourhood Development Plans have been finally 'made' (or adopted) they will, together with the adopted Local Plan, jointly constitute the overall development plan for Torbay.

1.2.17 The Council's existing Adopted Supplementary Planning Documents, together with Sections 13-15 (The Historic Environment) and Sections 16-19 (The Natural Environment) of the 2004 Adopted Torbay Local Plan Environmental Guide, will continue to be used to inform the

development management process, in so far as they remain consistent with guidance set out in the NPPF.

1.2.18 To ensure their continued relevance, it will be necessary to implement a programme of review, consolidation or replacement of such guidance in the context of the Adopted Torbay Local Plan 2012-2030 and other emerging Supplementary Planning Documents.





2. OPPORTUNITIES AND CHALLENGES

2. OPPORTUNITIES AND CHALLENGES

2.1 The Bay's USP - Unique Selling Point

What we mean by USP

2.1.1 The Bay's USP means its 'Unique Selling Point' and, for the purposes of this Plan, also its 'Under-Sold Potential'. It's what makes the Bay special, unique and distinctive. It's why the Bay is attractive to local people, visitors, businesses and investors – whether they are investing in a new business, a new home, spending money on holiday or simply enjoying what the Bay has to offer.

2.1.2 It's more important than ever before that we ensure the Bay plays to its strengths and makes the most of opportunities. For example, we know the Bay's marine, rural and historic environment makes it a very special place for many people. We must preserve and enhance those USPs, including Torbay's significant landscape, historic and biodiversity assets. But we can do more to make the most of the Bay's offer. This Plan includes more details of projects and proposals to add value to the Bay, including:

- 】 the transformation of our town centres as leisure, lifestyle, living and working destinations – a new vibrancy to our town centres that enhances and realises the economic potential of the historic environment.
- 】 ambitious proposals for the Bay's harbours and waterfront areas, making the most of their potential;
- 】 high quality development of new and existing sites in Torquay Gateway, to create a fantastic environment for living, working and leisure at Torbay's main 'gateway';
- 】 high quality development of new and

existing sites in West Paignton, including the former Nortel site and Great Parks, and proposals to enhance Paignton's attractiveness for family holidays;

- 】 creating new employment opportunities in Brixham, through eco-tourism for example, making the most of the Bay's unique Urban Geopark status, the AONB offer and marine experience.

2.1.3 To help make the most of the Bay's USP, this Plan is both ambitious and aspirational, encouraging innovation and entrepreneurship. It celebrates what's best about the Bay and seeks to tackle the most challenging issues, turning problems into potential and productivity. It embraces localism, linking people, power and place. It also supports people and helps make places to be proud of.

2.1.4 This Plan is not unduly prescriptive, as that will kill innovation and creativity, or over-protective (as little will be achieved). It does not look too far into the future, which is difficult to predict with certainty, but focuses on delivery of 'game changing' projects, specifically over the next 5 years. It is as much a business plan as a spatial plan, planning for success as every good business would.

What makes the Bay special?

2.1.5 People's view, or perception, of the character of the Bay varies hugely. At one end of the spectrum, people see the Bay as 'glamorous' – sunshine, big boats, luxurious hotels, modern spacious homes, fantastic beaches, world class tourism and

high profile businesses. At the other end of the spectrum, people perceive the Bay as a stag/hen weekend destination, a ‘down at heel’ place showing signs of market failure. It is also of course seen as a place to retire quietly. Both ends of the spectrum illustrate why it is that people want to invest time and money in the Bay, although it is evident that we all want to enhance the ‘glamour’ of the Bay and, at the same time, resolve the issues of disadvantage and deprivation.

The Torbay of ‘yesterday’...

2.1.6 The Bay was once seen as a wealthy, prosperous place – the place to be and the place to be seen. It provided a very different offer to the ‘sophisticated’ visitor looking for sunshine, elegance and culture. The Bay has also been a destination for huge numbers of tourists, looking primarily for sun and sand. The Bay’s architecture reflects the investment made by previous generations to attract more tourists to the Bay. Additionally, the Bay has provided a home to big businesses such as Nortel, and not only to those relating to tourism, such as Pontins. It has seen huge employment in the fishing industry. The Bay’s green (rural), blue (marine) and yellow (beaches) assets, coupled with its sense of community, have ensured it has long been a destination for retirement.

The Torbay of ‘today’...

2.1.7 Today there are a number of factors that continue to make Torbay unique. Its warm climate continues to attract retirees and increasingly Torbay attracts more footloose people and businesses. The proximity of town and country, of deep water and Dartmoor, of traditional and modern architecture is very attractive to investors.

2.1.8 It has a huge catchment, in terms

of resident population with a 20–30 minute drive time, making it an attractive place for continued investment.

2.1.9 Torbay has a high level of self-containment within its workforce – 75.5% of residents also work within the Bay (2011 Census). This is similar to the percentage in the Devon, Cornwall and Somerset County Council areas, but significantly higher than the other more urban areas of Plymouth, Bristol and Exeter. Torbay has the highest self-containment score in the South West region, making its economy rather unusual.

2.1.10 It offers high quality education provision, one of the key factors for house buyers with young families. There is huge pride in the Bay and very distinct communities. Torbay has produced sporting, academic and business ‘stars’.

2.1.11 The opening of the South Devon Highway is a ‘game changer’ for the Bay and for South Devon. The Council intends to utilise fully the opportunities presented by its construction.

2.1.12 All these attributes must be used to help tackle a number of challenges in Torbay. Gross Value Added (GVA) per head and incomes are low, which can help attract businesses. House prices are high, reflecting the desirability of Torbay as a place to live, but there are areas of poverty. There is on-going intervention and sympathetic regeneration, supporting the creation of jobs and training for local people, as well as the provision of homes that are affordable.

The Torbay of ‘tomorrow’...

2.1.13 We live in extraordinary times, almost unprecedented in most of our lifetimes, so the future is a little difficult to predict. But we

know we must plan for success if Torbay is to be successful, and we know we need to be ambitious if we are to realise what Torbay can do. We therefore know we need to make bold decisions to secure the change and growth Torbay needs.

2.1.14 Talk to younger people in the Bay, for example those at South Devon College, about what they see as the future of the Bay and they will tell you about:

- 】 The need for more jobs and business start up opportunities;
- 】 Their worries about house prices;
- 】 Crime, drugs, teenage pregnancy and continuing worries about safety in our town centres;
- 】 The beauty of the Bay, but worries about the future of our towns;
- 】 The need for more events and sport, in which young people are more involved;
- 】 The need for and cost of new facilities for younger people.

2.1.15 Talk to businesses in the Bay and they will tell you:

- 】 There are mixed perceptions of the Bay's economy – it's not all gloom!
- 】 Delivery of the South Devon Highway is vital, as is capturing the benefits of the new road;
- 】 Improvements are needed to the wider road network, especially the 'western corridor' linking Torquay, Paignton and Brixham;
- 】 There is a need for the right type of high quality premises for growing businesses;
- 】 High capacity broadband is essential for business success;
- 】 Regeneration of our town centres is a 'must do'.

2.1.16 Many people ask "Where are the jobs?" and "Why would people move to Torbay?" It is often forgotten that there are some top class research and development facilities in the Bay – such as Oclaro, Spirent, Torbay Hospital. Torbay also has a growing pool of talent, with some very highly qualified people living and working in the Bay. Economic trends suggest that, over the next 3 to 5 years, there will be growth in tourism, hotel and catering, and in professional and financial services. Our priorities for inward investment include advanced electronics, medical and healthcare and business process outsourcing.

2.1.17 There are already a very high number of Small and Medium Enterprises (SMEs) and micro businesses in Torbay. 91% of businesses in Torbay are small or micro, with around 4,000 of these being operated from home. This reveals a niche opportunity for the Bay – as a place for high end design, research and development businesses – because it provides a fantastic location for 'lifestyle' businesses. We need the infrastructure, such as innovation space, competitive property and wage costs, to support start up, small and growing businesses.

2.1.18 So, we need to plan for success and play to the strengths of the Bay to achieve that success.

2.2 Key issues facing Torbay

2.2.1 The previous pages set out what is unique and special about the Bay, as well as pointing towards the Bay's 'Under-Sold Potential'. The next few pages headline the big issues facing the Bay, alongside the reasons why they are big issues and how this Plan deals with them. This then leads, logically, to aspirations for the Bay and the policies for delivering those aspirations.

Economic recovery and success

HEADLINE

2.2.2 There are significant success stories in Torbay's economy - for example thriving high-tech electronics, tourism and fishing industries. Torbay is the home to some extremely successful businesses, including Sutton Seeds and high tech companies such as Oclaro and Spirent. A review of new developments, either underway or proposed, reveal that hundreds of new jobs could come forward in the next five years, for example as a result of construction of the South Devon Highway and development at White Rock.

2.2.3 However, the last decade has been disappointing in terms of overall economic performance. For example, Torbay's economic performance (GVA) grew at a much lower rate than the South West or rest of England. Its economy has shrunk faster than regional and national rates, our GVA per head is the lowest in the region and unemployment is above the national average.

2.2.4 Torbay's key sectors can, with support, grow and create around 5,000–5,500 net new jobs over the next 20 years or so.

SUPPORTING FACTS

- ▶ Over the last 10 years Torbay's GVA per head has increased by 28.6% (South West 43.2%, England 44.3%).
- ▶ The 3-year survival rate of enterprises that started in 2007 in Torbay is 59.2%, the lowest survival rate for any South West county or unitary authority (South West 65.9%, England 62.9%). Torbay had 355 new businesses in 2010, a fall of -5.3% from 2009 (South West -0.6%, England 0.7%).
- ▶ Torbay has a significant and growing home working sector, with 12% of the resident workforce working at home in the 2011 Census.
- ▶ Torbay sees more business start-ups than Exeter, and it sees more business start-ups per head of population than Plymouth. 85% of Torbay's businesses are less than 10 employees. The big challenge is enabling the growth of businesses that are less than 10 years old and retention of those businesses.
- ▶ Nearly 85% of Torbay jobs are filled by Torbay residents - an increase of 10% since 2001.
- ▶ In 2009 there were 4.35 million tourist bed nights spent in Torbay and 2.5 million day visits.
- ▶ Five large modern hotels have opened in Torbay since 2008. Premier Inn Torquay has an occupancy rate of 97% - the highest of the chain's hotels in the south west.
- ▶ Median gross full-time annual pay among Torbay residents is £22,053, an increase of 12.7% on 2010. This is well below England (£26,615) and South West (£24,922) medians, and is the lowest of all South West county and unitary authorities.
- ▶ The unemployment rate (September 2015) for Torbay is 6.5% (South West 4.0%, England 5.4%).
- ▶ Health, education and public administration accounts for 36.7% of Torbay's jobs,

compared to 26.4% nationally.

- 56.8% of Torbay pupils achieved 5+ GCSEs grades A*-C or equivalent, including Maths and English (South West 56.5%, England 58.3%).

PLAN POSITION

2.2.5 The area's economic challenges create a compelling argument for the Local Plan to prioritise the creation of high quality jobs (see Aspiration 1 and Policy SS4). Progress towards creating jobs and improving the local economy will be assessed as part of the Local Plan review. The Plan assumes the percentage of working age population that are economically active remains at 76% throughout the Plan period, which aligns with the Economic Strategy position. The Plan's proposals for new jobs (see Policy SS4) are based on a reduction in unemployment from 8.3% to 5.5%, with a reduction in the number of unemployed by around 1600 by 2032.

2.2.6 The Plan recognises that economic growth is not as space hungry as it has been in the past. Policy SS5 identifies key growth sectors and likely space requirements across the Bay. Tourism is one of those sectors and the Plan sets out the spatial means by which Torbay will regain and improve its role as a premier tourism destination (see Policies TO1–TO3). The Plan recognises the importance of our town centres (Policy TC1) and marine economy (Policy TO3) to success, but also underlines the need for vibrant district and local centres (Policy TC2), and a thriving evening and night time economy (Policy TC5).

A better connected and accessible Torbay and essential infrastructure

HEADLINE

2.2.7 Good connections in and around the

Bay, as well as between Torbay and national or international markets, are critical to its success. IT and transport connectivity has a significant role in addressing the development challenges we face now and in the future. Our quality of life depends on having convenient access to jobs, shopping, leisure and services.

SUPPORTING FACTS

- The South Devon Highway was completed in December 2015. For every £1 spent on the road, £9 will be generated in the local economy.
- £11.1 million has been secured in principle, from Heart of the South West LEP for improvements to the Western Corridor, Torquay Town Centre and Torquay Gateway. Further funding has been obtained for the proposed rail halt at Edginswell, Torquay.
- £2.75 million has been secured for Local Sustainable Transport, including improvements to the Torquay-Brixham Ferry Service and a new cycle route linking the north of the Bay with the seafront.
- £0.5 million has been secured for Better Bus Areas.
- Torbay, along with Devon and Somerset, has secured funding for Superfast Broadband (>24 Mbps). The Bay already has fibre-optic cabling.

PLAN POSITION

2.2.8 The Plan supports and promotes strategic transport improvements (see Policy SS6) to improve movement within the Bay, to other parts of Devon and internationally. It recognises the importance of ease of movement around the Bay, for example into town centres, and choice of transport options (see Policy TA1). The Plan ensures new development provides a range of physical, social and green infrastructure (see Policy

SS7), helping to avoid, for example, existing roads becoming too congested. It also supports installation of the most up-to-date and fastest ICT (see Policy IF1).

Protect and enhance a superb environment

HEADLINE

2.2.9 Torbay is defined by the sea to the east and south, countryside to the west and AONB to the south. Its administrative area is small. There is a limit to growth, not least because being three coastal towns means Torbay has only a 180 degree hinterland.

2.2.10 Torbay has a spectacular natural environment, with a superb Bay and nationally and internationally important landscapes. There is rare wildlife, and important rock and coral formations. Torbay's environment supports much of the Bay's economic activity and investment. Torbay has a rich historic environment, with significant prehistoric, mediaeval, 18th and 19th Century assets.

2.2.11 The Plan and previous options for growth have been the subject of Strategic Environmental Assessment and Sustainability Appraisal. The areas identified for strategic growth represent the most sustainable locations for growth in the Bay.

2.2.12 The recently refreshed SHLAA shows that, once 'constrained' sites have been excluded, there is overall capacity for approximately 8,900 new homes in the Bay in the period to 2030. Those 'constrained' sites, which are not considered as developable or deliverable in the Plan period, will be included in a reserve of land alongside sites in Teignbridge and South Hams Districts. This process is part of an on-going duty to co-operate to consider housing need and

sustainability on a cross-boundary basis by the LPAs in the area. This reserve will only be drawn on when demand shows it is needed, having regard to the most up-to-date evidence of objectively assessed need (see Paragraph 7.5.13) and if the constraints originally identified remain valid. Each site will be assessed against its relative sensitivity (to other sites in the reserve) and will be brought forward on a 'least sensitive first' approach.

SUPPORTING FACTS

- 】 Torbay is a UNESCO endorsed Global Geopark, the first urban area in the world to gain this status.
- 】 48% of Torbay's land area is countryside or has a landscape designation. 6% of Torbay's land area is covered by domestic buildings, compared to the county and regional average of 1%. 22% of land is covered by domestic gardens.
- 】 Berry Head, Brixham has international designation as a Special Area of Conservation (SAC) and Torbay is part of a Marine SAC.
- 】 Six square kilometres around Brixham are designated as Area of Outstanding Natural Beauty.
- 】 Torbay has around 60 breeding pairs of Cirl Buntings – about 8.5% of the Country's population

PLAN POSITION

2.2.13 The Plan seeks to protect and enhance the Bay's superb environment (see Aspiration 3, and Policies SS8 and SS9), in recognition of the environmental, social and economic value of those assets, but within which there is scope for growth and change (see Policies SS1, SS2 and SS3). Specific policies, covering the natural environment, green infrastructure and historic environment, promote protection and improvement of the environment. Other policies, relating to urban

landscape protection areas and villages for example, recognise the need for sensitive, modest development and a healthy rural economy.

Create more sustainable communities and better places

HEADLINE

2.2.14 Provision of land for new homes, to meet demand, is a key test of soundness for this Plan. A rolling 5 year supply of land for new homes will be provided, by annual monitoring of delivery of new homes; by major reviews every 5 years with Local Authorities in South Devon; by the identification of sites in Neighbourhood Plans and by ongoing work (masterplanning and site development proposals) to move sites from having development potential to deliverable, viable development schemes.

SUPPORTING FACTS

- 】 Housing supply has fallen by about 30% since the economic downturn in 2008, reflecting decreased spending power. There are unimplemented planning permissions for around 1,900 new homes in the Bay, as at January 2014. Cumulative provision on large sites has dropped from around 70 units per annum to around 25 units per annum. The long term average of new homes provision in Torbay is 450 per annum. In the last three years the average has fallen to around 390, with 256 homes completed in 2012/13.
- 】 Over the last few years population projections from the Office for National Statistics (ONS) have varied significantly, depending on which base year was used for analysis. The most recent projections, 2012-based sub-national population projections, released May 2014, project a population increase from 131,500 people in 2012 to 136,000 in 2021 and 141,400 in 2030 - an increase of 9,900 people over the Plan period.
- 】 The most recent (2012-based, published February 2015) DCLG Household Projections indicate an increase of 7,550 households in Torbay between 2012 and 2030. Torbay's population growth is driven by (domestic) migration, and the population projections assume an increase in inwards migration in the latter part of the Plan period.
- 】 The previous projections (interim 2011-based sub-national) show an increase from 131,200 in 2011 to 138,800 in 2021. The 2010-based projections suggest a population of 143,000 in 2031 – an increase of 11,800. This is considerably less than the 2008-based projected increase of 18,400 people.
- 】 Household size is predicted to fall from 2.17 people (2011) to about 2.07 in 2032 – a smaller fall than previously projected. Nonetheless, around 3,000 new homes will be needed just to meet the needs of Torbay's residents (even if there was no migration).
- 】 The average age in Torbay is 43.7, compared to 39.1 in England. In Wellswood and Churston the average age is over 51.
- 】 Life expectancy in Torbay for both men (78.0 years) and women (82.0 years) was lower than both the South West and England averages. Life expectancy is lower in more deprived areas.
- 】 Teenage conceptions in Torbay fell by 17% over the last 2 years, following action by the Bay's Sexual Health team.
- 】 Currently, about 1,415 households are on the waiting list for housing. The majority of these (1155) are one or two person households.
- 】 Torbay's lowest quartile affordability ratio (house price to earnings ratio - a higher ratio means less affordable housing) is about 7.5 (South West 8.2, England 6.5). About 8% of the housing stock is affordable housing, compared to 18% nationally.

- 】 Since 1995, about 75% of new housing has been on brownfield sites and two thirds of new housing has been 1 or 2 bed flats.
- 】 There are approximately 14,000 (around 22% of housing stock) private rented properties in Torbay - of these 1,450 are Houses in Multiple Occupation (HMOs) and 83 licensable HMOs. HMOs form about 2.3% of Torbay's housing stock, which is above the national rate of about 1.6%.

PLAN POSITION

2.2.15 The Plan identifies the broad number and location of new jobs and homes to 2030 and beyond (see Policies SS1, SS4 and SS12). The term 'and beyond' is important because the Plan takes a positive, ambitious approach to enabling new jobs and homes, but it is impossible to predict with accuracy the rate at which the market will deliver those. The Plan identifies the levels of growth and change anticipated for each of the three main towns, as well as identifying those areas, such as Brixham Urban Fringe and AONB, where there is a strong emphasis on protecting and improving the natural environment. The Policies for 'places' have a strong connection with emerging neighbourhood plans, as well as policies in other strategies, and encourage more detailed proposals in neighbourhood plans.

2.2.16 The Plan also identifies the sites for delivery of new homes for at least the next 5 years (see Policy SS13) and the way in which proposals for new homes, on non-identified sites, will be assessed (Policy H1). The Plan changes the single threshold (15 units) approach of the former Local Plan to affordable housing, with affordable housing delivery now being achieved (see Policy H2) on developments of 3 homes or more on greenfield sites. The Plan recognises the important role of HMOs, but seeks to reduce their proliferation – for example in Core

Tourism Investment Areas and Community Investment Areas (see Policy H4). The Plan promotes more sustainable communities by delivery of new development (Policy SS11); provision of sport, leisure and recreational facilities (Policy SC2); reducing health inequalities and promoting healthier lifestyles (Policy SC1) and by tackling child poverty (Policy SC5). A series of design-related Policies help secure high quality development in the Bay (Policies D1 to D6).

Respond to climate change

HEADLINE

2.2.17 Tackling climate change is a Government priority for the planning system and central to achieving sustainable development. Mitigating and adapting to climate change locally, as well as promoting social and economic change, provides a range of opportunities as well as constraints. These opportunities include renewable energy provision, local food production, an enhanced eco-tourism offer, and wise use of water in new development.

SUPPORTING FACTS

- 】 Parts of Torquay and much of Paignton, east of the railway line, are in a high flood risk area.
- 】 Torbay residents were responsible for a total of 4.5 tonnes of CO2 per capita in 2010, the lowest in the South West.

PLAN POSITION

2.2.18 The Plan embodies traditional environmental protection, such as development in areas of flood risk (see Policy ER1), and more contemporary Policies relating to energy (Policy ES1) and construction (Policy ES2). These Policies work in conjunction with Building Regulations.

2.2.19 Policies covering sustainable construction and design, flood risk, waste, minerals and renewable energy seek to minimise the impact of new developments and thus to have a smaller environmental footprint.

These Policies (including Policies M1 ‘Minerals extraction’ and W1 ‘Waste Hierarchy’) seek to minimise the use of finite resources, reduce waste and maximise recycling.

2.3 The ‘big-ticket’ items promoted in this Plan

2.3.1 The Local Plan therefore covers some ‘big-ticket’ items for the Bay. The items listed below illustrate key projects being promoted and the delivery focused nature of the Plan.

Context for growth

- › Local and Neighbourhood Plans working together to ensure a positive framework for high quality development, in the right place, at the right time and providing good outcomes for the Bay and local communities;
- › A strong urban focus – on the Town Centres, brownfield sites, empty buildings and other urban sites, but out of necessity a limited amount of ‘greenfield’ development.

Economic recovery and success

- › A strong emphasis on job creation (5,000–5,500 net new jobs), specifically high value jobs in key sectors such as tourism, advanced electronics, medical/healthcare, food production and processing;
- › A focus on improved and modern employment space, to meet the needs of a range of business sizes, in the Town Centres and in key locations, such as Torquay Gateway, the former Nortel site, Claylands, Oxen Cove and Freshwater;
- › A ‘reinvention’ and rejuvenation of our Town Centres, led by masterplans for Torquay and Paignton;
- › Playing to the Bay’s tourism strength and supporting the ‘English Riviera’ brand -

investment in our harbours; core tourism investment areas, such as Brixham Harbourside; making the most of the historic and marine environment, water sports and the unique urban geopark status of the Bay.

A better connected and accessible Torbay

- › Super-fast broadband, improved internet and Wi-Fi access across the Bay;
- › Completion of the South Devon Highway and significant improvements through to Torquay Town Centre (via Torquay Gateway and Torre); and to the Western Corridor serving Paignton and Brixham;
- › A new rail halt at Edginswell, Torquay, serving an expanded Torbay Hospital, the business and resident community.

Protect and enhance a superb environment

- › Protection for and enhancement of AONB;
- › Protect and enhance country parks;
- › Identification of Village Envelopes for Churston, Galmpton and Maidencombe, with greater opportunity for sensitive, modest development to support local communities;
- › New food hubs and geopark access hubs, and support for local food production;
- › Improving feeding areas and flying routes for the Greater Horseshoe Bat;
- › Protection for Gull Buntings;
- › Enhancement of the Yalberton Valley and

Westerland Valley for nature conservation and sustainable tourism;

- › Protection for a sensitive marine environment including seahorses, sea birds and sea grasses.

Create more sustainable communities and better places

- › Reinvigorate the Town Centres as places to be', for businesses, residents and visitors and more investment in deprived communities;
- › Expansion of primary and secondary schools, and support for South Devon College expansion;
- › An increased number of Urban Landscape Protection Areas;
- › A healthier Bay, with improved access to recreation and leisure facilities, health impact assessments for major developments and Community Investment Areas;
- › New sports and leisure facilities at Clennon Valley;
- › Exploring, through community supported masterplanning and neighbourhood planning, the best ways to expand and improve communities at Torquay Gateway, and Collaton St Mary;

- › Tackling poverty, utilising local labour arrangements, improving housing stock and energy-efficient homes;
- › Construction of up to 7,500 new homes over the next 15 years, subject to market conditions;
- › Provide affordable homes for local people;
- › Support for affordable, self-build and custom-built homes for local people, across the Bay;
- › Seek to minimise crime, fear of crime, disorder and antisocial behaviour through appropriate design, management and location of development;
- › Improved waste water capacity.

Respond to climate change

- › Investment in flood defences, storm and surface water mitigation;
- › New green infrastructure, such as cycle routes, community and country parks;
- › Investment in road, rail and bus service improvements, to reduce congestion and increase use of public transport.





3. VISION AND AMBITION

3. VISION AND AMBITION

3.1 Aspirations for the Bay

Our aspirations

3.1.1 This Plan has five aspirations for the Bay:

1. **Secure economic recovery and success**
2. **Achieve a better connected, accessible Torbay and essential infrastructure**
3. **Protect and enhance a superb environment**
4. **Create more sustainable communities and better places**
5. **Respond to climate change**

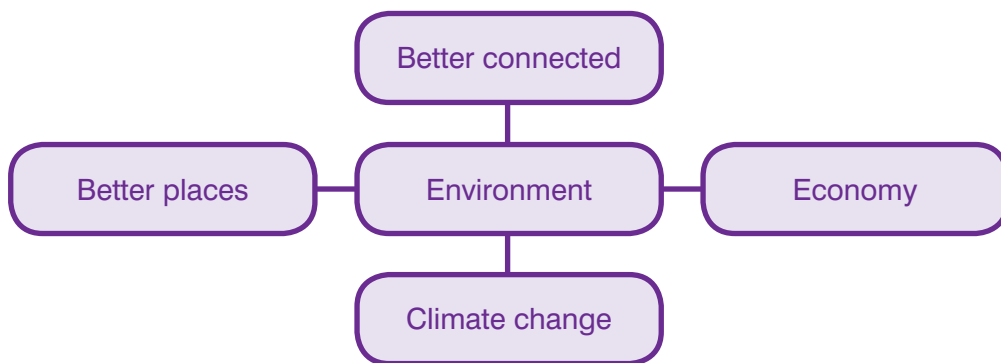
3.1.2 These aspirations are interconnected, but at their heart is the environment (see Figure 2).

3.1.3 Economic recovery and success is closely linked to the quality of the Bay’s environment. We know how important the environment is for tourism and we know businesses are more productive when employees have access to green spaces and activity.

3.1.4 Climate change and the opportunities it presents for Torbay will have a very real impact on the environment; for example, further flood defence works, which also support urban regeneration, and the potential for ‘green collar’ businesses in Torbay.

3.1.5 Sustainable communities, and places where people want to be, include open space,

Figure 2 Local Plan Aspirations



parks, views, local food and energy production, affordable housing, ample educational facilities, and wise use of resources.

3.1.6 A better connected Torbay will include high capacity broadband, which will encourage more sustainable travel; better trains and buses mean that people have easy access to work. Our high quality environment and

tourism offer will be promoted nationally and internationally.

3.1.7 These aspirations, together with a series of objectives, are set out in more detail below.

Aspiration 1: Secure economic recovery and success

To achieve economic growth and deliver new jobs and housing, in order to promote equality, reduce disadvantage and poverty and increase Torbay's competitiveness. This will be achieved by meeting the following objectives:

- 】 To provide sufficient, varied full-time employment and increase earning potential.
- 】 To broaden the economic base in the Bay.
- 】 To promote higher value uses and activities.
- 】 To support and enhance traditional industries and jobs.
- 】 To ensure a balanced provision of housing and employment
- 】 To ensure the English Riviera achieves its potential as a premier tourist resort by continued investment in existing facilities, waterfront areas and marine environment, and the provision of new attractions.
- 】 To cater for changing holiday demands and expectations to attract new visitors, investment in high quality facilities and the improvement of existing product and services
- 】 To remove the obstacles to business growth and investment.
- 】 To drive forward regeneration schemes and provide sufficient land and co-ordinated infrastructure to achieve sustainable growth.
- 】 To retain college leavers and graduates within the Bay.
- 】 To provide a range of goods, services, events and facilities that make Torbay a leading destination of choice for people with money to spend, particularly new and improved provision in the town centres.
- 】 To strengthen Torquay town centre as the largest retail centre in Torbay and as a commercial, social and cultural focal point; Paignton and Brixham town centres to develop their role, on a proportionate basis, focused on meeting the needs of their own residents and tourists.
- 】 To reduce dependency on the state to provide jobs and address local needs.

Aspiration 2: Achieve a better connected, accessible Torbay and critical infrastructure

To ensure that Torbay has excellent accessibility and connectivity within the Bay and elsewhere. This will be achieved by meeting the following objectives:

- 】 To increase accessibility throughout the Bay and beyond with fast, frequent, reliable and sustainable travel, giving people real choice as to how they make their journeys.
- 】 To improve road, rail links, cycling and walking routes, to reduce congestion and environmental impact.
- 】 To encourage active travel to promote health and environmental sustainability.
- 】 To promote water-based transport in the Bay, for both work and leisure.
- 】 To deliver an integrated transport system, providing a choice of transport and supporting walking, cycling and public transport.
- 】 To ensure the safe and convenient movement of people and goods.

- 】 To minimise the length of journeys for employment, shopping and other activities by the careful siting of development and through the detailed planning of the mix of uses in growth locations.
- 】 To provide next generation broadband connections.

Aspiration 3: Protect and enhance a superb natural and built environment

To conserve and enhance the richness and diversity of the built, historic, marine and natural environments, which provide Torbay with its unique setting and important economic benefits. This will be achieved by meeting the following objectives:

- 】 To safeguard heritage assets including those at risk in a manner appropriate to their significance, having regard to their ability to deliver economic regeneration, express local identity, reveal social histories and narratives and increase the connection of communities with place.
- 】 To ensure new development makes a positive contribution to local character and identity, including the wider landscape character, river corridors, open spaces, country parks and natural areas, and setting of proposals.
- 】 To avoid mediocre design by the application of clear design standards, including the use of Torbay's Design Review Panel to maintain quality development that is well integrated in its surroundings and responds successfully to local character.
- 】 To require conversions and extensions to positively enhance the existing building, especially in Conservation Areas, removing unsympathetic extensions and rectifying poor quality alterations where necessary.
- 】 To safeguard existing and maximise opportunities for biodiversity enhancement in and around developments to deliver a net gain for biodiversity.
- 】 To encourage the re-use of empty homes and businesses, including bringing back historic buildings into beneficial use.
- 】 To make the most of the English Riviera's status as the world's first internationally recognised Urban Geopark in recognition of its geological, historical and cultural heritage and sustainable tourism value.

Aspiration 4: Create more sustainable communities and better places

To meet the needs of Torbay's residents, including disadvantaged and minority groups, and to provide everyone with a full range of opportunities in life. This will be achieved through meeting the following objectives:

- 】 To build enough houses to give everyone a chance of a decent home.
- 】 To end the cycle of deprivation linked to substandard accommodation and resist inappropriate conversions and poor design where this may exacerbate disadvantage and deprivation.
- 】 To resist inappropriate out-of-centre retailing which would harm the vitality and viability of town centres, undermining their status.
- 】 To diversify the leisure and cultural offer in the town centres, particularly the evening and

night time economy in Torquay.

- 】 To create a more enjoyable, creative built and natural environment using heritage assets, public art and revitalisation of the public spaces to attract events, exhibitions and festivals that celebrate and enhance the culture of Torbay.
- 】 To allow tall buildings in appropriate locations where this secures wider regeneration benefits and does not harm the Bay's assets.
- 】 To provide a suitable and sustainable range of physical and community infrastructure to promote economic prosperity and social cohesion and contribute towards higher aspirations and achievement, particularly amongst the young.
- 】 To support the expansion of existing educational establishments, especially South Devon College, and plan positively for new education and lifelong learning.
- 】 To use planning tools such as Local Development Orders and Article 4 Directions to facilitate improved living standards.
- 】 To provide more freedoms for local communities to determine their future direction, eg. by supporting preparation of Neighbourhood Plans.
- 】 To help tackle hotspots of child poverty, multiple deprivation, high levels of crime and unemployment in Tormohun, Ellacombe, Roundham with Hyde and Watcombe, and pockets of deprivation and poverty in Blatchcombe and St Mary's with Summercombe.
- 】 To support new and enhanced recreational, play and leisure facilities, to promote health and social well being for all, including young people.

Aspiration 5: Respond to climate change

To ensure the use of energy and natural resources, the sensitivity of the natural environment and public health needs are taken into consideration when planning new development. This will be achieved through meeting the following objectives:

- 】 To support the development of 'green collar' businesses in the Bay.
- 】 To promote the installation of low carbon and renewable technologies.
- 】 To improve the energy efficiency of developments to reduce the reliance on fossil fuels and the impact of rising utility bills on poverty.
- 】 To help deliver 'invest-and-save' projects to allow scarce resources to be channelled to the most productive use.
- 】 To become resilient and adaptable to climate change.
- 】 To minimise flood risk to new and existing development by incorporating climate change factors such as run-off, sea level rise, increased storminess and unpredictable weather.
- 】 To recognise the multiple benefits provided by open spaces, biodiversity, green infrastructure such as green corridors/wedges, rural landscapes, beaches and the Bay itself, having regard to their statutory significance and value to the community over the lifetime of development.
- 】 To minimise the generation of household, business and construction waste and reduce its negative impacts upon the environment by focusing on the prevention, re-use and recycling of waste as set out in the waste hierarchy and prevent pollution.

3.1.8 Each Aspiration and related set of objectives will be delivered through the collective implementation of the Local Plan

policies set out in subsequent sections of this document.

3.2 Future outcomes

3.2.1 Torbay is planning for success. This Plan, coupled with Neighbourhood Plans (when 'made' or adopted), provides the framework to bring about sustainable growth and change in the short, medium and longer term.

Sympathetic, sustainable growth

3.2.2 Torbay's natural and built environment are both special. Torbay has international recognition as the only UNESCO endorsed Urban Geopark - the first urban area in the world to achieve this status. This is a huge economic asset as well as being valuable for its own sake. The Plan must make the most of investment opportunities arising from its environmental quality, for example in high class tourism and 'lifestyle' choices for people in the high tech sector able to work remotely. Super fast broadband connectivity is vital to enable the sort of growth Torbay needs.

3.2.3 Sympathetic economic growth will not only ensure we play to the Bay's strengths – its USP - but also maximise its 'Under-Sold Potential', including its environmental qualities, as these underpin much of the economic success of the Bay. So the creation of new jobs, which also leads to demand for new homes, needs to be carefully balanced – as it has in the past – with the quality of the Bay's environment.

3.2.4 The important issue for the Bay is what type of housing needs to be provided. Over the past decade there has been a focus on small apartments that has fuelled a large private rented sector- 22% of

Torbay's housing stock, compared to 12% nationally. Building the right type of housing is probably more important than becoming entrenched in the 'numbers game'. There is a need for affordable housing, including shared equity homes, key worker housing and innovative ways of helping people into home ownership. There is a need to help the ageing population live independent and dignified lives, whilst reducing isolation. We need more family housing to help rebalance the demographic structure and meet the demand for workers. We also need flats and apartments, but not in the 'town cramming' style we've seen before.

3.2.5 This Plan does not support any growth at any cost. It does support growth and change that works for Torbay. To ensure that this growth is secured in a sustainable manner, proposals put forward should take account of the interrelationship between the Policies set out in this Plan. Figure 3 illustrates the four key 'policy dimensions' (ranging from strategic and broad to local and detailed) that need to be addressed by all proposals submitted to drive forward Torbay's successful growth.

Momentum and targets

3.2.6 A significant amount is already being done to support business growth, for example completion of the South Devon Highway. An assessment carried out by Deloitte has flagged up the risk to Torbay's future growth because the private sector is reluctant to speculatively develop space in Torbay as rents are low

compared to Plymouth, Exeter and Bristol. So, notwithstanding Torbay’s high business start up rate, it is important for this Plan to facilitate both growth in the economy and delivery of the outcomes needed in the Bay.

3.2.7 This Plan sets out what is needed – spatially – over the next 20+ years. In the first five years, the Plan includes and prioritises economic growth and new jobs, the delivery of new employment space and support for business growth. This is an ambitious but deliverable ‘target’, which could lead to sustainable inward migration and reduce outward migration, particularly of young people.

3.2.8 It’s important to know when ‘targets’ have been hit and when ambitions have been achieved. Consequently delivery of the Plan will be reviewed every year and a major review will be undertaken, with other local authority partners, every 5 years. This approach is consistent with NPPF requirements and with DCLG/ONS 10 year population and household projections to 2021 (see also Section 7.5).

Predict, provide and hope

3.2.9 The days of ‘predict, provide and hope’ when a local plan simply had to allocate land are long gone. Clearly the Local Plan has to identify both sufficient brownfield

and greenfield sites, but it must go further to ensure that jobs and not just housing come forward. Detailed phasing agreements, including s106 Planning Obligations requiring investment into job creation, are an important element of this. Local Development Orders will be used alongside financial incentives, for example, to accelerate delivery of employment space and jobs.

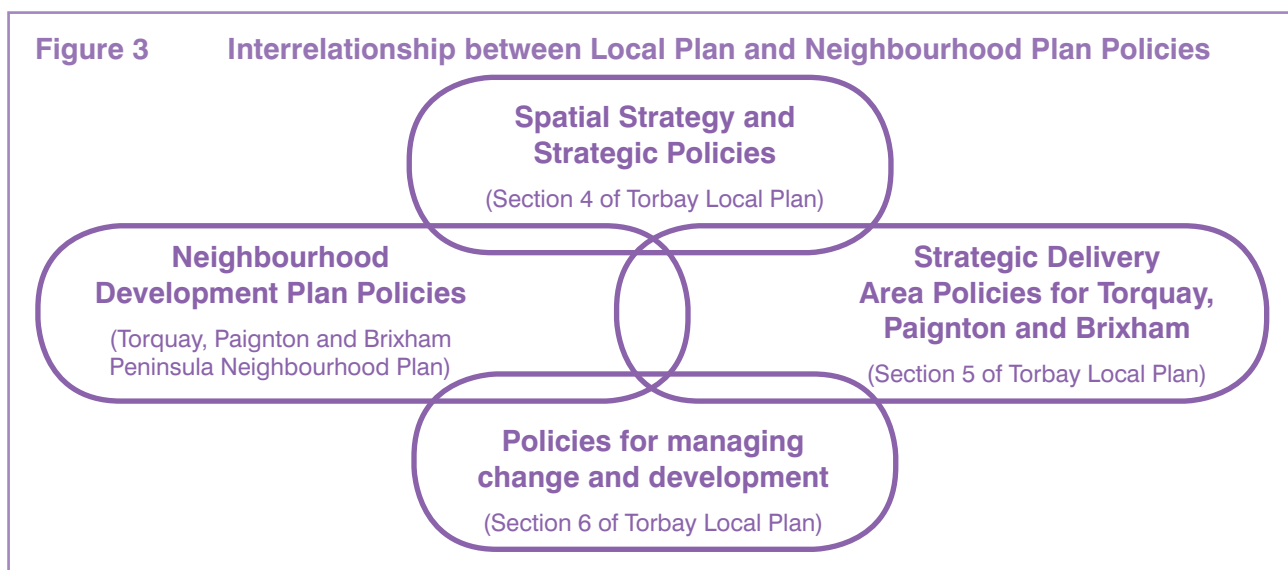
Achieving balance

3.2.10 It is very important for Torbay to get the balance of new homes, new jobs and new infrastructure right, as well as balancing growth and change against the need for environmental protection and enhancement.

3.2.11 It is equally important for the Local Plan not to be over-prescriptive about projects and developments. The Plan is flexible and responsive to what the market wants to deliver, and provides the ‘hooks’ on which projects can come forward via neighbourhood plans or planning applications. This approach also encourages innovation and creativity in the way in which projects come into fruition.

3.2.12 Further details outlining the Council’s approach to the monitoring and review of the Local Plan are outlined in Section 7.5 of this Plan.

Figure 3 Interrelationship between Local Plan and Neighbourhood Plan Policies





4. SPATIAL STRATEGY AND POLICIES FOR STRATEGIC DIRECTION

4. SPATIAL STRATEGY AND POLICIES FOR STRATEGIC DIRECTION

4.1 A balanced and sustainable approach to growth

Introduction

4.1.1 This Section sets out the strategy for change and growth in the Bay to 2030 and beyond. This strategy has been shaped by extensive consultation, appraisal and consideration of growth options for the Bay.

4.1.2 The most appropriate way of addressing and embracing the various issues, objectives and outcomes identified in this Local Plan is considered to be through a Balanced Growth Strategy. This approach embraces growth, but puts the protection and enhancement of Torbay's environment at the heart of the growth strategy. It requires development in urban areas as a first principle, whilst accepting some greenfield expansion within identified future growth areas (see Key Diagram - Figure 4).

4.1.3 The Strategy recognises the importance of economic recovery and success in the Bay. Without a step change in the economic fortunes of the Bay, new jobs are unlikely to be created on the scale proposed in this Plan, in migration will remain low and out migration will increase, and there will be relatively small demand for new homes. The Strategy seeks to avoid that spiral of decline and help Torbay achieve balanced, sustainable growth.

4.1.4 A range of other place-based Strategic Delivery policies ensure that the best outcomes for the Bay are secured through carefully balancing the scale of growth and

change against capacity for change, whilst also enabling new jobs, homes and retail provision in the right sequence and balance when they are needed. Maintenance of a rolling 5 year supply of housing land is critical, as is the need to ensure new jobs are provided – as a priority - in the Bay. This Plan has been subjected to rigorous testing to ensure the balance between growth and environmental protection is right.

The demand for jobs and homes

4.1.5 The Strategy provides space and infrastructure to support creation of 5,000–5,500 new jobs in the Bay over the next 18 years, replicating the levels of overall job growth witnessed in recent boom years. It identifies sites to meet demand for employment space over the first 5 years of the Plan period in key locations, such as town centres and Edginswell. It identifies broad areas, such as town centres, Torquay Gateway and West Paignton, where employment space will be delivered over the medium to longer term.

4.1.6 The Strategy also identifies sites and broad locations for the delivery of new homes, at a rate of 400–500 per annum, to meet demand over at least the first 15 years of the Plan and probably longer if local economic conditions and market delivery do not improve.

Torbay's capacity for growth and change

4.1.7 Torbay's towns are sandwiched between the sea and the countryside. Torbay has a land area of just under 63 square kilometres (24 square miles), of which 48% is countryside or has a landscape designation. Torbay's capacity for growth is therefore constrained by both countryside and the sea, both of which are vital to the economy of the area. It is the quality of Torbay's environment that attracts investment, visitors, new residents and businesses.

4.1.8 The growth strategy has been strongly influenced by evidence contained with the Strategic Housing Land Availability Assessment (2013) and in the Employment Land Review (2013).

4.1.9 The ELR was produced to advise the Council on how to meet the spatial requirements of the Local Plan's target of providing 5,000-5,500 jobs. This assessment was based on growth projections for key employment sectors in the Housing Requirements Report (2013). Consequently the Plan makes provision for more than 17 hectares of employment space to cater for demand over the next 20 years, with over 50% of this area being for non-B type uses in sectors such as retail, tourism and leisure.

4.1.10 The SHLAA was also refreshed in 2013 in order to provide a clearer, updated picture of the area's need and capacity, based on 2013 market conditions (which have rendered apartments, and high rise buildings, less viable). The refresh also took a more detailed view of the deliverability and sustainability of broad locations rather than simply identifying large areas. The SHLAA refresh assessed Torbay's maximum capacity for housing (over 20 years) as almost 11,200 homes, of which:

- › Sites with existing commitments, such as planning permission, can deliver around 2,250 homes;
- › Deliverable urban sites can provide around 2,500 homes;
- › Greenfield sites can provide approximately 2,700 homes; and
- › Small windfall sites (of less than 6 homes) account for about 2,200 homes.

4.1.11 However a significant number of sites (assessed as providing around 2,000 homes) identified in the SHLAA refresh have significant constraints to delivery, including policy implications associated with AONB, historic environment, valuable open space designations and loss of holiday accommodation.

4.1.12 In addition to the market and environmental capacity, the Council has commissioned various studies on infrastructure capacity. The Torbay Infrastructure Delivery Study (2011) assessed the infrastructure constraints of a 10,000 homes and job growth scenario. Although it did not identify an absolute infrastructure constraint at delivering this level of growth over 20 years, it highlighted a significant infrastructure funding gap of £160 million, of which £52.1 million is critical infrastructure. It also identified the age of the shared sewers in Paignton as a potential infrastructure pinch point. South West Water does not anticipate any absolute constraints to growth during the Plan period and does not wish to put an upper limit on growth in Torbay, but phasing is likely to be required as well as a need for developer contributions to overcome the sewerage issue.

4.1.13 Parsons Brinckerhoff carried out traffic modelling (SATURN model) for the Council in 2010. This suggested that a growth scenario based on 10,000 dwellings was achievable

with on-line improvements to the highways network including dualling of the Western Corridor. However, a higher 15,000 dwellings scenario would be likely to create significant congestion on the road network that could not be alleviated without major capacity improvements, including new road building. Other than completion of the South Devon Highway, there are no proposals for major new roads within the next 20 years in Torbay.

4.1.14 The Local Plan has been informed by a range of evidence, including that referenced above. On this basis, development sites and deliverable land provides capacity for around 9,000 new homes in Torbay. It remains to be seen whether there is market demand for that number, or that the market is capable of delivering it. Sites with significant constraints to delivery will be considered for future development (probably after 20 years), alongside other sites in South Devon, as part of cross-boundary 5 year reviews, and if demand for new homes within the South Devon area shows it to be necessary.

Responding to climate change

4.1.15 Change and growth over the Plan period must be achieved in a manner that responds to climate change, safeguards natural assets and minimises adverse impacts on the environment. Furthermore, developments which are designed to take a positive and holistic approach to delivering environmental sustainability will make a positive contribution to Torbay's economy and are more likely to help achieve the broad range of key Aspirations and objectives in the Local Plan.

4.1.16 This balanced and sustainable approach provides a positive response to climate change and supports the Bay's USP, ensuring that:

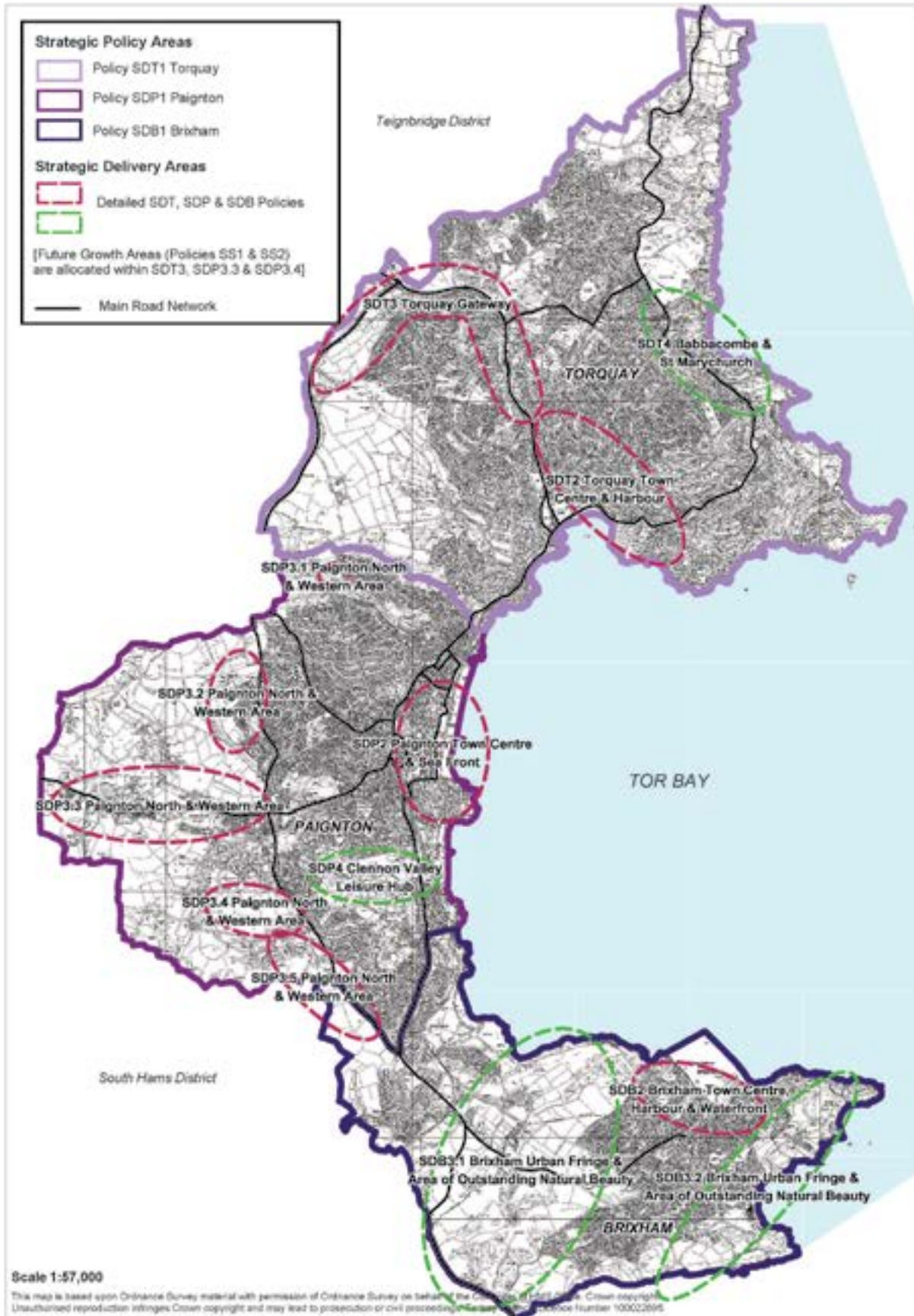
- › Torbay maximises its opportunities within town centres and urban areas;
- › The Bay's high quality environment is preserved and enhanced;
- › Investment in essential infrastructure is secured via limited greenfield development; and
- › A rolling 5 year supply of housing land is maintained

4.1.17 Delivery of this strategy, through the policies and proposals identified elsewhere in the Local Plan, will require the effective use of a range of available resources and development tools, including the Community Infrastructure Levy, New Homes Bonus, Local Enterprise Areas and Local Development Orders (see Section 7: Delivery and monitoring).

Growth Strategy

4.1.18 Policy SS1 proposes a Balanced Growth Strategy for Torbay, setting out the Council's approach to the timing and distribution of growth over the Plan period to 2030 and is supported by the Key Diagram (Figure 4) which shows the broad location of Strategic Delivery Areas where major new development will be focussed over the Plan period.

Figure 4 Key Diagram



Policy SS1 Growth Strategy for a prosperous Torbay

The Local Plan promotes a step change in Torbay's economic performance. It supports urban regeneration that creates sustainable living, working and leisure environments, supported by high quality infrastructure. This will be achieved within the Bay's built and natural environmental capacity, ensuring the environment continues to be a driver of economic success and that there is investment in the Bay's environmental assets.

Development should reinforce Torbay's role as a main urban centre and premier resort. All development should contribute to safeguarding the area's natural and built environment.

All development will make full and appropriate use of opportunities for low carbon and renewable energy technologies, consistent with the need to reduce Torbay's carbon footprint, and provide resilience to climate change.

The Plan supports the creation of 5,000-5,500 net additional jobs (equating to an average of around 275-300 jobs per annum) and delivery of at least 17 hectares of employment land over the Plan period, with an emphasis on bringing employment space forward as early as possible in the Plan period. The Plan also seeks to identify land for the delivery of an overall average of around 495 homes per annum, equating to about 8,900 new homes over the Plan period of 2012-2030.

Existing Commitments

In the first 5 years (2012/13-2016/17), the Plan will enable delivery around 2,000 new homes. Most of this growth will come forward on committed sites – with planning permission or allocated - and on urban brownfield sites, including windfall sites. These are shown in Appendix C (Table 25) and will be updated as part of the Council's annual monitoring activity.

Identified Sites

In years 6-10 of the Plan (2017/18-2021/22), development will come from completion of committed sites and developable sites identified in Neighbourhood Plans. The pool of developable housing sites is included in Appendix C (Table 26) to this Plan. If Neighbourhood Plans do not identify sufficient sites to provide the housing requirements of the Local Plan, the Council will bring forward sites through site allocations development plan documents.

If it appears that a shortfall in 5 year supply of deliverable sites is likely to arise, the Council will bring forward additional sites as indicated in Policy SS12.

Strategic Delivery Areas

Strategic Delivery Areas (SDAs), shown outlined in red on the Key Diagram (see Figure 4, are the foci for delivery of growth and change in the Bay over the Plan period. They provide strategic and sustainable locations for new employment space, homes and infrastructure. Future Growth Areas

(see Policy SS2) are located within these SDAs. There will be some initial delivery of development in Future Growth Areas, within the first 10 years, if required to meet demand for new employment space and homes. Development in these areas will be set out in detail via masterplanning, concept plans and/or in neighbourhood plans. They will deliver a balance of jobs, homes and infrastructure, including green infrastructure. Future Growth Areas are shown on the Policies Map.

The focus areas for delivery of improvements to AONB, countryside and green infrastructure, as well as sport, leisure and recreation, are also illustrated (outlined in green) in the Key Diagram (see Figure 3).

Major development proposals, outside the built-up area and Future Growth Areas, will need to be the subject of environmental assessment. This will need to take account of the impacts of the proposed development itself and the cumulative impact of development.

The Plan will be reviewed at regular intervals to ensure that the growth strategy remains sustainable and conforms to the requirements of the NPPF, or subsequent Government policy.

Communities will have a greater influence in determining how development in their area will look and feel, specifically through the new framework of neighbourhood plans.

Explanation:

4.1.19 The Balanced Growth Strategy is based on the principles of sustainable development, having regard to:

- 】 The need to meet as far as possible, Torbay's objectively assessed need, consistent with the sustainable development objectives set out in the NPPF;
- 】 The Bay's capacity, including natural, built and archaeological factors;
- 】 The need for a strong, competitive and sustainable economy;
- 】 The provision of necessary infrastructure;
- 】 The need to build resilience to the effects of climate change; and
- 】 The minimisation of waste.

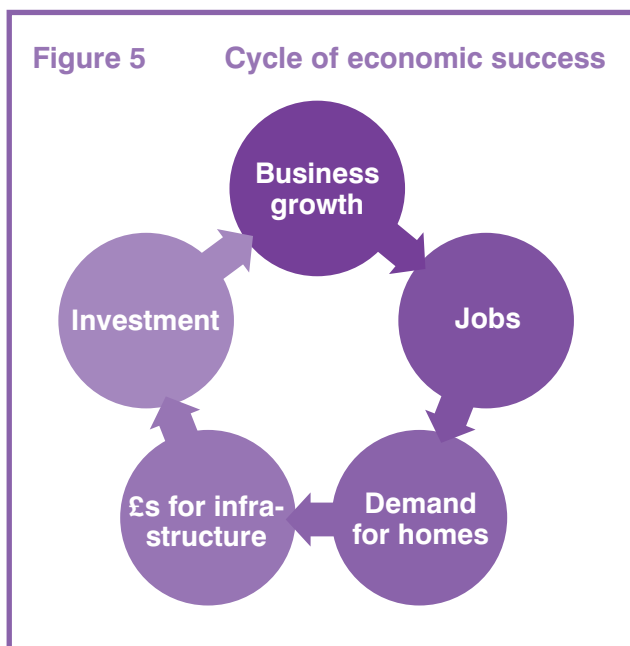
4.1.20 The Sustainability Appraisal and Habitats Regulations Assessment for the Local Plan has carried out plan level assessments of development proposals on greenfield sites identified as having significant

constraints, such as in AONB. It will therefore be necessary for any development coming forward on those sites to be assessed at a project level in its own right, but also on the cumulative impacts taking account of development on more sustainable / less constrained sites in the Bay.

4.1.21 Torbay has significant environmental constraints, including being within the flight paths and foraging zones of the South Hams Special Area of Conservation. The Habitats Regulations Site Appraisal Report of the Torbay Local Plan (2014) identifies a number of mitigation measures for safeguarding the integrity of the SAC. The Greater Horseshoe Bat mitigation strategy should be implemented within development areas. In accordance with Policies SS8 and NC1 these should show how any adverse impacts of development are capable of being mitigated in perpetuity. Further details are set out in Policy NC1 and the Strategic Delivery Policies (e.g. SDT1) of this

Plan. This includes maintenance of darkened corridors to maintain flight paths, and the use of developer contributions to manage increased recreational pressure on the South Hams SAC resulting from increased housing numbers and recreational pressures.

4.1.22 The Council believes that a growth strategy of 8,000-10,000 homes and a minimum of 17 hectares (65,000 square metres net) employment space, with associated community facilities and green infrastructure, is the upper level of development that can be achieved in a sustainable way, without causing serious harm to Torbay's natural and historic environment or to the functioning of its infrastructure.



Economic success

4.1.23 In order to facilitate economic recovery and success, and to meet business needs, the Local Plan promotes infrastructure for business growth and investment. This includes innovation space, work hubs, skills development, ICT improvements, delivery of the South Devon Highway and creation of high quality employment space in town centres, edge

of towns (Edginswell and West Paignton) and within existing communities. Business growth will give rise to more employment opportunities which, in turn, will give rise to increased demand for new homes – alongside the demand arising from inward migration and reduced household size. New commercial space and homes will release funding for infrastructure which will encourage greater investment in Torbay. This is the cycle of success that Torbay needs, to avoid a continued spiral of decline, as illustrated in Figure 5.

Urban focus

4.1.24 The three town centres of Torquay, Paignton and Brixham will be the focus for new development and urban renewal. Mixed use development of town centre sites, including comprehensive urban regeneration, will be promoted to provide a range of employment, residential, leisure and commercial activities within the built-up area. The re-use of buildings will be actively promoted. However the Local Authority will resist the inappropriate development of urban green space or creation of very small apartments that could lead to the failure to deliver more sustainable, balanced communities.

Sequence and phasing of development

4.1.25 The Local Plan seeks to maximise the provision of new jobs, especially high quality employment. It also seeks to provide high quality housing on brownfield land, to regenerate the urban area and address the serious deprivation that exists within parts of Torbay. Broad Strategic Delivery Areas are identified on the Key Diagram, and covered in more detail in the area Policies (SDT, SDP and SDB).

4.1.26 Expected phasing is set out broadly in Policy SS1 above, with more details set out in Policies SS12 ‘Housing’ and SS13 ‘Five year housing supply’. These Policies set out a trajectory and broad areas of housing growth. More detailed area specific requirements are set out in the Strategic Delivery Areas Policies SDT1, SDP1 and SDB1). Development over the first 5 years (2012-17) will largely arise on committed sites. These are indicated in Table 25 in Appendix C of the Local Plan, which will be regularly updated as part of the annual Housing Land Monitor and Authority Monitoring Report. Larger sites are expected to last until the second phase of the Plan (i.e. years 6-10) and be supplemented by mainly urban developable sites allocated in Neighbourhood Plans using the SHLAA as a starting point.

4.1.27 There will be an emphasis on delivering employment developments in the early phases of the Local Plan. This will include existing commitments to Use Class B1, B2 and B8 employment space provision at:

- 】 White Rock, which includes a new Electronics Photonics Innovation Centre (EPIC);
- 】 Edginswell Business Park;
- 】 Town Centre sites, including Torwood Street and other developments in the adopted Town Centre Masterplans;
- 】 Devonshire Park (former Nortel site), Paignton;
- 】 South Devon College’s emerging Hi-Tech Centre;
- 】 Claylands, Paignton; and
- 】 Land at Yalberton Road/Yannons Farm Paignton.

4.1.28 Whilst development in Future Growth Areas is anticipated to arise towards the latter part of the Plan period, it is noted that there is active developer interest in some sites such as Collaton St. Mary, Yalberton and White

Rock, Paignton. The Plan will support early delivery where infrastructure, environmental and other relevant planning matters are satisfactorily addressed.

4.1.29 Where there appears to be a risk of a shortfall of deliverable sites against the Local Plan rolling 5 year requirement or overall housing trajectory, the Council will bring forward additional sites through site allocation development plan documents. In order to avoid a policy vacuum occurring after year 5 of the Plan (i.e. 2017), the Council will start to prepare site allocation documents if neighbourhood plans, which meet the necessary regulations and are in general conformity with the Local Plan, have not been submitted to the Local Authority by 31 March 2016. If this arises the Council will present site allocations documents to Council within 12 months (i.e. by 1 April 2017). It will be noted that neighbourhood plans and site allocation development plan documents only need to identify sufficient sites to maintain a rolling five year housing supply from 2017, with broad locations for longer term growth. Neighbourhood plans will not be required to allocate sites where there would be likely significant effects on Habitats Regulations related matters.

4.1.30 Some new development on greenfield sites is required in the latter part of the Plan period, post 10 or 15 years, depending on performance of sites in earlier phases. Policy SS2 deals with the Future Growth Areas from which these longer term sites are likely to come. These are likely to require the provision of strategic infrastructure before or in parallel with delivery of development. Two of the main growth areas (West Paignton and Torquay Gateway) are the subject of masterplans, which further define the precise nature and delivery of development.

4.1.31 This Strategy ensures a sufficient rolling 5 year housing supply, whilst making sure that development is sustainable in terms of being supported by physical, social or economic infrastructure.

4.1.32 The Local Plan will be monitored on an annual basis as well as being subject to more comprehensive five year reviews from the date of Adoption. The three Neighbourhood Plans are expected to play a major role in

allocating sites in the second (years 6 -10, i.e. 2017/18-2021/22) and later phases of the Plan. Policy SS13 sets out the Council's 5 year housing supply position in more detail.

4.1.33 The five year reviews will also reassess whether the Growth Strategy remains appropriate with regards to future assessments of objectively assessed need, government policy and other material considerations (see Section 7.5).

Policy SS2 Future Growth Areas

Future Growth Areas are located within Strategic Delivery Areas (see Policy SS1) and are shown on the Policies Map. They show broad locations in which the Council, community and landowners will work together, through neighbourhood planning and / or masterplanning, to identify in more detail the sites, scale of growth, infrastructure (including green infrastructure) and delivery mechanisms required to help deliver the Local Plan. Future Growth Areas are proposed in the following locations:

1. Edginswell, Torquay;
2. Paignton North and West Area, including Collaton St. Mary, Paignton; and
3. Brixham Road, Paignton.

Development delivered within each of the Future Growth Areas must be integrated with existing communities, reflect the landscape character of the area as informed by Torbay's Landscape Character Assessment (2010), be timed in accordance with provision of essential infrastructure, be informed by ecological surveys and flood risk assessment and should be consistent with the levels of growth set out in Policies SDT1, SDP1 and SDB1, and their related SD Policies.

A bespoke Greater Horseshoe Bat (Greater Horseshoe Bats) mitigation plan for all development within the following Strategic Delivery Areas must be submitted and approved before planning permission will be granted:

- SDP 3.2 Great Parks;
- SDP 3.3 Totnes Road/Collaton St. Mary;
- SDP 3.4 Brixham Road/Yalberton; and
- SDP 3.5 White Rock.

The mitigation plans must demonstrate how the site will be developed in order to sustain an adequate area of non-developed land as a functional part of the local foraging area and flyway used by commuting Greater Horseshoe Bats associated with the South Hams Special Area of Conservation (SAC). The mitigation plan must demonstrate that development will

have no adverse effect on the SAC alone or in combination with other plans or developments. Development should have regard to Policy NC1 concerning the need for developer contributions to mitigate the impact of increased recreational pressure on the South Hams SAC.

Development will deliver the following:

- (i) Provision of a range of residential schemes that offer a mix of housing types, including family housing and affordable housing;
- (ii) Creation of a range of employment opportunities, delivered in the early stages of development, designed to meet identified economic growth sectors;
- (iii) Essential transport and utilities infrastructure, as well as green infrastructure, and appropriate links to other planned facilities;
- (iv) A suitable range of recreational, leisure and tourism facilities;
- (v) High quality design standards that embrace sustainable and energy efficient construction techniques;
- (vi) The creation of a strong sense of community through the effective design and layout of homes and the provision of local facilities, enhancing wherever possible existing communities within the locality;
- (vii) Appropriate phasing to ensure overall a balanced provision of jobs, homes and infrastructure (including green infrastructure); and
- (viii) Integrated green infrastructure rich in biodiversity to be enjoyed by local people.

All major development outside of the established built-up area should be within the identified Future Growth Areas. Major development outside of these areas will only be permitted where the site has been identified by the relevant Neighbourhood Plan or a subsequent development plan document, and has first been subject to Habitat Regulations Assessment that has concluded there will be no likely significant effect on the South Hams SAC. Such development proposals will need to take account of both the impacts of the proposed development itself and the cumulative impact of development.

Explanation:

4.1.34 Policy SS2 identifies Future Growth Areas to accommodate demand for homes, jobs and infrastructure over the longer term. As explained in Policy SS1, existing commitments and developable urban sites identified in the three Neighbourhood Plans are expected to provide for development needs for at least 10 years (i.e. to 2024).

4.1.35 The NPPF requires the identification of development land beyond 10 years “where possible” (Paragraph 47, third bullet point), and for the Local Plan timescale to “preferably” be 15 years. However, the Local Plan has sought to identify longer term strategic sites, in order to provide certainty, encourage investment and provide support for longer-term infrastructure planning.

4.1.36 The Future Growth Areas are based on evidence from the SHLAA (2013). It is not expected that all land within these Areas will be developed. This is unlikely to be sustainable or to meet with the requirements of Policy SS2. Rather they represent a broad canvass on which the adopted Masterplans and three Neighbourhood Plans will work up detailed proposals for sustainable growth, in partnership with developers, local communities and infrastructure providers. Broad parameters of growth levels, infrastructure needs and timescales, and site specific requirements are contained in the Strategic Delivery Area Policies (SDT, SDP and SDB).

4.1.37 Masterplans have been prepared for Torquay Gateway, Great Parks Paignton, and Collaton St Mary, Paignton as well as Torquay and Paignton Town Centres. The Masterplan for Great Parks was completed in 2013 as supplementary guidance. The Town Centre Masterplans were adopted by the Council as Supplementary Planning Documents on 1 June 2015. The Masterplans for Torquay

Gateway and Collaton St. Mary were adopted as SPD on 10 December 2015 and February 2016 respectively. This suite of Masterplans is expected to inform Neighbourhood Plans.

4.1.38 Whilst the Masterplans are based on sound evidence and have undergone public consultation, all capacities identified by them will be treated as provisional until HRAs, drainage and other infrastructure assessment has been carried out for specific development proposals, and appropriate mitigation strategies put in place. Mitigation strategies should be informed by bat survey evidence using standards set out in the 2010 South Hams SAC Guidance or equivalent. Greater Horseshoe Bat mitigation strategies for the four Future Growth Areas should be implemented as recommended by the HRA Site Appraisal Report of Torbay Local Plan Strategic Delivery Areas (Proposed Submission Plan) 2014.

4.1.39 All of the Future Growth Areas are likely to have significant infrastructure requirements, particularly Paignton and Brixham. These include sewerage and highway infrastructure, green infrastructure and healthcare/education facilities. These need comprehensive planning and site assembly to ensure that development is sustainable. Therefore, most of the development in the Future Growth Areas is expected to be longer term, probably post-2024 and possibly later, with the possible exception of:

- a) Torquay Gateway (where employment space is needed earlier in the Plan period); and
- b) Wall Park, Brixham (if early delivery of approved development takes place).

This does not preclude Neighbourhood

Forums bringing forward development in the areas of search, particularly smaller brownfield sites, where this would accord with the overall Strategy.

4.1.40 Because the Future Growth Areas are based on the SHLAA (2013) which takes into account what land is considered to be suitable and reasonably available, they represent almost all of Torbay's future capacity for development outside the existing built up area. However the boundaries may be reviewed in the future should further

evidence of land availability/deliverability become available. It is expected that this assessment will take place during the five year reviews of the Local Plan.

4.1.41 Any proposals that come forward for major development outside Future Growth Areas would need to be accompanied by comprehensive supporting evidence that demonstrated no unacceptable harm in respect of biodiversity and landscape considerations, and consistency with Policy SS1.

Policy SS3 Presumption in favour of sustainable development

When considering development proposals, the Council will take a positive approach in accordance with the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF). It will work proactively and in partnership with landowners, applicants and the community to find sustainable solutions, enabling development proposals to be approved where they will evidently provide a balanced approach to improving economic, social and environmental conditions.

Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in Neighbourhood Plans) will be approved, unless material considerations indicate otherwise. Where there are no policies relevant to the application, or relevant policies are out of date at the time of making the decision, the Council will grant permission unless material considerations indicate otherwise, taking into account whether:

1. Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; and
2. Specific policies in the NPPF indicate the development should not gain planning permission.

Explanation:

4.1.42 The Government has indicated that the default decision on planning applications is approval so long as this does not undermine key sustainability objectives set out in national policy statements. The presumption in favour of sustainable development is set out in

Paragraph 14 of the NPPF and is the context for plan making and decision taking. It will be noted that Paragraph 119 and Footnote 9 of the NPPF indicate that some matters such as AONB, Habitats Regulations, flooding and coastal erosion and designated heritage assets may outweigh the presumption in

favour of sustainable development.

4.1.43 The Local Plan seeks to set out a supportive and enabling framework to allow high quality, sustainable development proposals to gain planning permission. Policy

SS3 sets out the Council's presumption in favour of sustainable development. This ensures key objectives for sustainable development and regeneration are met, in line with the NPPF's requirement and good practice advice.

4.2 Aspiration 1: Secure economic recovery and success

Introduction

4.2.1 The Local Plan seeks to make a step change in the economic performance of the Bay, building on the recent signs of recovery and turning the tide in Torbay to address issues caused by past decline. The National Planning Policy Framework (Paragraphs 18-22) places great emphasis on securing economic growth. Development plans and planning decision making should put significant weight on using the planning system to support growth and to plan proactively to meet development needs.

4.2.2 The Plan supports Torbay's position as being 'open for business'. It identifies broad growth locations for employment and promotes town centre regeneration schemes. The Local Plan also has an important role in providing a framework for delivery of key infrastructure projects and supporting facilities such as South Devon College.

4.2.3 The Local Plan provides the spatial planning tools to help deliver the objectives in the Torbay Economic Strategy (2013). The

Local Plan and Economic Strategy share an ambition to create more jobs. As such, the Economic Strategy is supported by the Local Plan's Growth Strategy (see Policy SS1 above).

4.2.4 As well as job numbers, the Strategy and Plan seek to improve the quality of jobs and raise wages and gross value added. This falls beyond the direct powers of spatial planning. However the Local Plan can assist by supporting town centre regeneration, supporting purpose-built Use Class B employment development, including innovation centres, and supporting education and skills training. The Economic Strategy is thus able to take a wider role, beyond land use planning matters. Together the Local Plan and Economic Strategy will help deliver positive change in Torbay, as well as delivering ambitions set out by the Heart of the South West Local Enterprise Partnership (see Table 1).

Table 1 Torbay Economic Strategy: priorities and actions

Priority	Key Action Areas
Driving business growth	<ul style="list-style-type: none"> » Torbay Enterprise Areas » Claylands » Business Support Programme
Sustaining the core economy	<ul style="list-style-type: none"> » Town centre regeneration » Identification of a new visitor attraction » Supporting delivery of the marine economy action plan for Torbay, including harbour infrastructure and infrastructure for the fishing sector
Raising skill levels and creating opportunities for all	<ul style="list-style-type: none"> » Strengthening the links between local education and training providers and local businesses » Development and delivery of the Torbay Works Programme » Development and delivery of the Key Sector Workforce Development Programme
Nurturing the knowledge economy	<ul style="list-style-type: none"> » Development of the medical and healthcare technology sector

4.2.5 Tourism is the core of Torbay’s economy. The area attracts almost 3 million visitors per year, of which 1 million are staying visitors. In 2011 there was a 4% increase in visitor numbers from 2010. Torbay is the largest resort in Devon. Whilst it is only the 7th most populous resort conurbation in England and Wales, it is the 4th largest by employment. It is evident that the significant number of jobs in seaside tourism in Torbay reflects the area’s continuing appeal to visitors and holidaymakers from around the country. Tourism is the area’s largest employer, supporting around 13,000 full time equivalent jobs – about a fifth of all jobs. The English Riviera remains a strong brand both nationally and world-wide. The Employment Land Review (2013) has indicated tourism jobs as a significant source of new employment over the next 20 years, with a potential to create 460 jobs in hotels and additional jobs in related retail, restaurant and leisure sectors.

4.2.6 The three Town Centres of Torquay, Paignton and Brixham play a vital economic role. They are, literally and metaphorically, the ‘shop windows’ of the Bay. Consequently this Plan promotes a town centres first approach, especially for retail. The overall objective for town centres is to increase footfall and spend, by increasing the numbers of people living, working and spending time in and around the town centres

4.2.7 Torbay has a lack of good quality employment opportunities, as reflected in poor economic performance statistics. By playing to its strengths, such as specific sectors, the offer provided by its town centres and by bringing forward high quality employment land in key locations, this Plan can help Torbay – its people, businesses and places – achieve better economic performance and generate new job opportunities.

4.2.8 Mixed used developments, enabling

employment space to come forward (that would not otherwise be delivered) alongside infrastructure improvements and new homes, will ensure future growth is sustainable, timely and balanced. Failure to achieve this could result in higher levels of unemployment, economic inactivity or give rise to significant out-commuting. This would undermine the requirement in Part 1 of the NPPF to build a strong competitive economy and strong, vibrant, healthy communities.

Employment Land Review (2013)

4.2.9 It is acknowledged that less space is needed now, than in the past, to achieve the same levels of GVA and job numbers, and to meet the needs of growing sectors in the Bay over the Plan period. In addition, much of Torbay's growth in jobs, in tourism and healthcare for example, can be accommodated on existing sites or within existing premises.

4.2.10 The Employment Land Review (ELR) (2013) assesses Torbay's capacity, specifically on strategic employment sites, to meet its economic growth aspirations over the period 2012-2030 with particular reference to the next 10 years.

4.2.11 Based on expected growth sectors, the ELR identifies a requirement for an additional 17 hectares of new employment land (based on 30-40% site coverage), equal to about 65,000 square metres net. Over half of this (9.5 hectares or 36,200 square metres) should be for non-Use Class B type uses

such as retail, tourism, leisure and recreation. About 7 hectares (26,500 square metres net based on 35-40% site coverage) are required for offices and up to 1 hectare (2,150 square metres) of industrial land.

4.2.12 The 17 hectares does not include space requirements for healthcare or education, which are assessed separately. Both sectors are expected to expand, with 2,200 new jobs in healthcare and 600 in education by 2032. These jobs are likely to be met in existing facilities (especially Torbay Hospital and South Devon College) or new/expanded facilities to meet the needs of new residential development. The ELR does not give a space requirement for these jobs, and the Council expects a large number to be 'spaceless' i.e. not requiring the construction of new floorspace. However, there is likely to be a need for new school facilities in the Plan period (see Policy SC3).

4.2.13 The ELR does not consider all employment sites in detail, but appraises 14 key areas (including the three town centres). It assesses that these areas have a capacity to create 42 hectares of employment land (either as mixed use development or for employment in their entirety).

4.2.14 Whilst this is more than the 17 hectares required, the ELR points out that it is important for businesses to have a range and choice of sites. Moreover some sites may require a higher level of enabling development (principally residential) to ensure that they are deliverable.

Policy SS4 The economy and employment

The Local Plan supports the regeneration of Torbay and improvement in its economic performance, with the aim of achieving a step-change in economic prosperity as set out in

Torbay's Economic Strategy. The Local Plan supports existing businesses and education facilities, it encourages new businesses and investment in order to create new jobs, and it enables expansion and diversification of the economy of the Bay.

The Local Plan supports the creation of at least 5000-5,500 net additional jobs by 2030 with an emphasis on delivering around 1375 net new jobs in the first 5 years of the Plan period.

To help achieve this objective, at least 65,000 square metres of employment space, comprising 28,000 square metres of Use Class B1- B2 space and 38,000 square metres of other employment uses are proposed on the sites in Policy SS5, as part of mixed use developments where appropriate. Additional provision will be made for healthcare and education where the need arises.

Phased delivery of mixed use development, especially in the first 5 years of the Plan, must include early provision of serviced employment space.

The Council will, in principle, support proposals that deliver employment space and high value jobs.

Explanation:

4.2.15 The Local Plan sets out a positive spatial framework to support the economic prosperity aspirations of the Community Plan and Economic Development Strategy. Whilst not an exclusive list, the Plan seeks to promote growth in sectors that are particularly important in Torbay, namely:

- 】 Tourism, hotel and catering;
- 】 Manufacturing;
- 】 Professional services;
- 】 Financial services;
- 】 Advanced electronics / hi-tech;
- 】 Medical / Healthcare;
- 】 Education and training;
- 】 Business Process Outsourcing; and
- 】 Food production and processing.

4.2.16 There is a strong focus on town centre regeneration and revitalising traditional industries such as tourism and fishing, but new opportunities in growth sectors are also supported. The Council will use Local Development Orders (LDOs) to help reduce

the burden on business through increasing 'permitted development rights'. For example, the refurbishment and revitalisation of existing employment estates could be undertaken under the provisions of an LDO.

4.2.17 The Council will work with developers to improve the employment prospects and skills base in the local population. This could involve, for example, securing training for new entrants into the construction sector and upskilling opportunities for existing construction workers.

4.2.18 The Employment Land Review (2013) indicates a requirement to provide around 65,000 square metres of employment space, equal to about 17 hectares (assuming 35-40% site coverage with buildings). Policy SS5 sets out how it is planned to meet this figure. Detailed mechanisms for delivering employment-led development, including the quantum, layout and phasing, will be determined through a combination of neighbourhood planning, masterplanning,

and supplementary planning documents.

4.2.19 The Council recognises that the deliverability of development is an important consideration and will publish guidance on the prioritisation of planning contributions, to ensure the delivery of employment within mixed use growth areas.

4.2.20 In providing employment uses on allocated sites or in Future Growth Areas, the first preference will be for on-site provision as part of a comprehensive and co-ordinated approach to strategic delivery. Where this is not practicable, for example for amenity or space reasons, the Council will seek a financial contribution towards employment creation or employment initiatives locally. These will be identified in Neighbourhood Plans and should support delivery of the Economic Strategy. Examples could include local training placements and apprenticeships, business start-up support, match funding for European Union and other moneys, and skills and training initiatives, for example, using South Devon College's expertise in delivering renewable energy solutions in new development and upgrading existing buildings. The Council will ensure that these are not used for CIL funded infrastructure.

4.2.21 The provision of Use Class B employment space will be particularly

supported, although the Council recognise that a range of other uses (such as tourism) also provide valuable employment. The type of employment should be acceptable in planning terms and contribute to the overall well-being of the area.

4.2.22 The Local Plan also supports, in principle, a number of marine-related projects and initiatives which are currently being developed or investigated by Torbay Council, Torbay Development Agency (TDA), Tor Bay Harbour Authority and/or other partners, and are identified in the Tor Bay Harbour Authority Port Masterplan (2013).

4.2.23 The 65,000 square metres /17 hectares does not include provision for education or healthcare jobs, both of which are projected to expand significantly over the Plan period. Provision should be made for growth within these sectors, particularly at Torbay Hospital, South Devon College and other institutions. Development in Future Growth Areas should make provision for education and healthcare facilities in line with Policies SC3, SC1 and SC5.

4.2.24 Policy SC3 promotes local training arrangements, placements and apprenticeships, to maximise the benefits of development to the local economy.

Policy SS5 Employment space

In order to meet the needs of existing, growing and new businesses, sufficient high quality space will be provided to meet existing and arising requirements of employers. Specific sites will be identified through Neighbourhood Plans and Masterplans, drawing from the range of sites indicated in Table 2 (Sources of employment land). In particular, the provision of new and improvement of existing employment space will be supported in the following areas and projects:

1. Town centres;
2. Torquay Gateway;
3. West Paignton;
4. Refurbished / revitalised existing employment estates; and
5. As part of urban renewal projects.

This will include space and facilities for Use Class B employment uses and other non-Use Class B sectors including health, leisure, retail, tourism and education, which play an important role as employment generators in the Bay. For major employment or mixed use developments, the Council will seek around 25% of space to be provided as Use Class B space, to reflect the needs of the area and to increase GVA. In the case of mixed use developments, an element of cross subsidisation of employment uses from higher value land uses will be sought, to ensure the speedy delivery of the employment element of developments.

Proposals for out-of-centre retail uses and town centre uses will be considered on the basis of Policies TC1 to TC4.

Much of Torbay's employment space needs will be met within town centres and existing employment estates. However, to maximise opportunities for economic recovery, employment space will be brought forward within the Strategic Delivery Areas identified around Torquay Gateway and the West of Paignton.

The Council, in conjunction with Torbay Development Agency and Neighbourhood Planning Forums, will use Local Enterprise Areas and Local Development Orders to encourage provision of high quality employment space, environmental improvements, and better facilities serving employment within existing and proposed employment areas, so long as this is consistent with other Policies in this Plan.

The Council will, in principle, support the provision of work hubs, managed workspace and live-work units. The provision of live-work units will be treated as employment space and secured through the use of s106 Planning Obligations where appropriate.

Proposals for the loss of employment space will be considered on the basis of the impact on the economic prosperity of Torbay, the appropriate mix of uses within a locality and on amenity. Where there is no reasonable prospect of a site being used for other (non-Use Class B) employment purposes or such a use would conflict with the Local Plan, alternative uses that support sustainable local communities will be supported.

Where the proposed loss of employment space is agreed, the Council will seek financial contributions to mitigate the loss of employment. If planning permission is granted for B1 space the Council may restrict permitted development rights in respect of change of use to residential, in order to secure available, modern office space and retention of employment opportunities.

Explanation:

4.2.25 The NPPF requires Local Plans to plan proactively for economic growth, to provide sufficient land and support to meet existing and future needs of businesses and other employers.

4.2.26 The Torbay Employment Land Review (2013) sets out spatial requirements of around 65,000 square metres /17 hectares, needed to deliver the Economic Strategy, and advises on the potential of various locations to help achieve this growth. This figure does not include provision of space for healthcare or education. Whilst Policy SS5 allows for a mix of employment types, there is a need for Use Class B1 and B2 jobs to increase the Bay's value added and rebalance the economy away from the service sector. On this basis proposals that provide a high proportion of Use Class B space will be encouraged. The 25% noted above will not be seen as a maximum.

4.2.27 Table 2 sets out potential employment sites in Torbay, for information purposes. This should be read in conjunction with the Strategic Delivery Area policies (SDT, SDP and SDB). In the early stages of the Plan, employment is expected to come forward from employment land with planning permission at Edginswell Business Park (2.8 hectares) and White Rock (8.8 hectares). The Plan also seeks early delivery on employment sites on previously developed land such as Brown's Bridge (Torquay), South Devon College and new Innovation Centre, Devonshire Park (former Nortel site), Yalberton Road and Claylands (Paignton), as well as existing sites, such as Yalberton, that are in need of a 'refreshed' offer. There will also be an emphasis on regenerating the three Town Centres to bring forward

improvements to existing and addition of new employment space. Masterplans setting out regeneration proposals for Torquay and Paignton Town Centres were adopted by the Council as SPD in June 2015. These sources are expected to provide at least 10 years of new employment space delivery. Committed and other deliverable employment sites are shown on the Policies Map for information, together with potential development sites for identification in the Neighbourhood Plans. In order to secure the delivery of modern employment buildings, an element of cross subsidy will be sought from Masterplans and in the consideration of strategic development schemes. This will be secured either through land equalisation agreements, direct provision of servicing of employment land/infrastructure or through developer contributions.

4.2.28 Policy SS2 requires that Future Growth Areas should provide a mix of jobs and housing as part of the longer term (10 years plus) growth trajectory. This will be achieved through a masterplanning approach to new strategic sites identified in Table 2 and Strategic Delivery Area Policies of this Plan (SDT, SDP and SDB) and Neighbourhood Plans, and in line with the space guidelines set out in Policy SS5. Future Growth Areas are expected to meet employment space requirements in the latter part of the Plan period. However sites will be brought forward where there are economic or social benefits in doing so, particularly where they are in commercially attractive locations and can be delivered sustainably.

Table 2 Sources of employment land

Area policy reference	Site	Approx. anticipated area	Notes
Deliverable sites with planning permission			
SDT3	Edginswell Business Park (Torquay)	2.8ha	Highly accessible land from South Devon Highway. Part of first 10 years' delivery.
SDP3.5	White Rock (Paignton)	8.8ha	Employment land element of approved mixed use business park and residential area. Part of first 10 years' delivery.
Refurbishment of existing sites – Developable to achieve qualitative improvements			
SDT3	Woodlands Trading Estate (Torquay)	-	Refurbishment and environmental improvements to existing employment area. Qualitative improvements to upgrade existing provision.
SDT3	Torbay Hospital (Torquay)	-	The overall emphasis of the site will be to concentrate on maintaining the long term healthcare needs of South Devon. There are opportunities for new health-related high tech employment and training, and scope to make better use of the site.
SDP3	Yalberton Industrial Estate (Paignton)	-	Refurbishment and environmental improvements to existing employment area. Qualitative improvements to upgrade existing provision.
SDB1	Northfields Trading Estate (Brixham)	-	Refurbishment and environmental improvements to existing employment area. Qualitative improvements to upgrade existing provision.
Town centre regeneration			
SDT2	Town Hall Car Park, Lower Union Lane / Union Street (Torquay)	-	Mixed use schemes as part of harbourside, waterfront and town centre regeneration.
SDP2	Victoria Centre, Station Lane, Hyde Road / Torbay Road, Crossways & Harbour (Paignton)	-	Mixed use schemes as part of harbourside, waterfront and town centre regeneration.

SDB2	Oxen Cove & Freshwater Cove (Brixham)	1.3ha	Mixed use harbourside development with a focus on marine related employment uses.
Opportunities in the built-up area			
SDT3	Brown's Bridge (Torquay)	8.2ha	Development of (former landfill) land at Scotts Bridge, Barton. Site of 16.3ha of which target of up to 50% to be employment. Developable within 10 years.
SDP1/SDP3	Claylands (Paignton)	6.8ha	Redevelopment of former waste site to provide a range of B1 and B2 uses. Site deliverable within 5 years.
Future Growth Areas			
SDT3	Edginswell/Torquay Gateway (Torquay)	9.4ha	<p>Employment land as part of highly accessible urban extension served by South Devon Highway. Around 25% of total 37.4ha area of search is identified for employment.</p> <p>Probable delivery post year 10, but some may come forward sooner due to the commercial attractiveness of the location, subject to infrastructure funding.</p>
SDP3	Yalberton (Paignton)	1.9ha	Development allocated for business use, rear of Yannons Farm. Known locally as the 'Jackson land'. Assumed 25% of 7.4ha site will be for employment use, as part of a mixed residential and employment development. Developable within 10 years to achieve mixed use development.
SDP3	Devonshire Park (former Nortel) (Paignton)	4.1ha	<p>Redevelopment of site of former Nortel complex. Scope for mixed use development on site of 4.1ha, with at least 1ha of employment land sought.</p> <p>Previously developed land, so developable within 10 years, subject to site remediation.</p>

SDP3	Collaton St Mary (Paignton)	4.75ha	<p>Employment uses as part of sustainable urban extension. Future Growth Area of around 95ha. Subject to masterplanning it is anticipated that employment uses should complement and enhance the existing centre of the village.</p> <p>Development likely post-2023 due to infrastructure requirements.</p>
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4.2.29 This Policy supports the refurbishment and improvement of existing employment land, particularly where this is accessibly located. It is recognised that some redundant commercial buildings can provide a source of residential accommodation, where they do not meet business needs, subject to the requirements of Policy SS5. There will be many instances where commercial and residential developments can co-exist. However, care needs to be taken to avoid the redevelopment for residential use undermining the supply of employment land or premises, or sterilising an area from industrial use because of residential amenity issues. Therefore, whilst the Local Plan seeks to be flexible in allowing a range of employment opportunities beyond the Use Class B definition, proposals for non-employment uses on commercial land will need to be carefully considered. Where redevelopment of a site for non-employment purposes is approved, the Council will seek s106 Planning Obligations towards job-generating infrastructure which are not CIL

funded. These contributions are essential to support training, new business space and reduce unemployment.

4.2.30 The Council will seek high quality schemes in areas of landscape sensitivity. Applicants will be expected to show how economic, social and environmental benefits outweigh any loss of greenfield land.

4.2.31 Home working is expected to become increasingly important, both because of the growth of flexible working arrangements, and improvements to ICT. The Council will promote live-work units, work hubs and other innovative ways of working as an element of employment provision. Around 200 live-work units should be delivered during the Plan period, some as part of the areas indicated in Table 2 above. These will be controlled primarily through design, but possibly also through planning conditions or s106 Planning Obligations, depending on the nature of the proposals and surrounding uses.

4.3 Aspiration 2: Achieve a better connected, accessible Torbay and essential infrastructure

Introduction

4.3.1 Good connections in and around the Bay, and between Torbay and both national

and international markets, are critical to the Bay's success. Transport has a significant role in addressing the development

challenges we face now and in the future. Our quality of life depends on having convenient access to jobs, shopping, leisure facilities and services.

4.3.2 Torbay needs a high quality and integrated infrastructure system to support a strong and prosperous economy in the Bay. With the growing importance of the internet, the provision of superfast broadband connections will be vital to an area's prosperity.

4.3.3 Infrastructure covers a range of items and facilities, including:

- 】 Physical infrastructure, such as roads and railways, electricity, gas and water supply, flood defences, drainage, sewerage capacity, telecommunications;
- 】 Social and community infrastructure such as healthcare and education facilities, community centres, libraries, emergency services;
- 】 Green infrastructure, such as open spaces, landscaping, allotments, nature reserves and waterways; and
- 】 Blue infrastructure, such as water quality and beaches.

4.3.4 Funding of this wide range of infrastructure is one of the most significant challenges for the Local Plan. Government funding is likely to become increasingly scarce and funding streams such as Community Infrastructure Levy (CIL) and New Homes Bonus are unlikely to meet the wide range of demands in the Bay. It will therefore be important to make best use of other regeneration opportunities.

4.3.5 The South West Water (SWW) Business Plan for 2015-2020 was submitted to Ofwat in December 2013. This is based on an assessment of capacity and likely growth of population/households in the area, as a

result of ongoing consultation with Torbay Council and other partners, including the development industry.

4.3.6 There is no restriction on development in Torbay. However, a SWW assessment shows that further modelling work will be required should the growth rate accelerate, and as 2020 is approached. The broad message is that there are no absolute waste water limits to growth in Torbay. Provision of new and upgraded infrastructure will require appropriate programming and costing, especially with regard to the local sewer network.

4.3.7 SWW is aware of concerns about the age of combined sewers. These will be dealt with through its capital maintenance programme (for example, freeing up sewer collapses, deformations and fat/debris) and provision of infrastructure for new development. Consistent with the Council's continuing co-operation with the Authority, SWW has been fully engaged in the preparation of the Masterplans for Future Growth Areas, to ensure a robust and sustainable infrastructure framework for these Areas.

4.3.8 Green infrastructure can help encourage walking and cycling, thereby having health benefits. It can also provide wildlife habitats and help support biodiversity. Sustainable drainage measures such as the creation of wetlands can have significant wildlife benefits and reduce flood risk. There will be an increasing need for renewable energy and micro-generation as replacements for fossil fuels.

4.3.9 The completion of the South Devon Highway is a fundamental element of the infrastructure needed to deliver the Local Plan objective of creating a more prosperous Bay.

It will provide vital improvement to the links with the sub region and beyond, increasing the accessibility of the Bay for business travellers, freight operators and tourists, whilst improving economic prosperity. In turn, this will create opportunities for business growth and for improving links for existing business and industries of the Bay.

4.3.10 The Western Corridor is a vital connecting route for the Bay as a whole.

However, existing capacity and regular delays at various points along the corridor could be exacerbated by future growth. The introduction of junction improvement schemes and the dualling of key sections will improve the capacity of the road and are essential to the function of the network. These improvements must take place ahead of or in tandem with new development, with contributions for those improvements being provided by new development.



Policy SS6 Strategic transport improvements

The Council will support improvements to the strategic transport system that enhance the connections between the three towns, between Torbay and the rest of the sub-region, and between Torbay and national or international markets. The Council will seek to facilitate delivery of these schemes through the safeguarding of land and/or contributions from development. The following improvements are proposed:

Highway Network

1. Construction of the South Devon Highway and related junction improvements (opened December 2015).
2. On-line improvements and traffic management schemes in the following locations:
 - (i) Torquay Gateway Corridor, Torquay
 - (ii) Western Corridor, Paignton
 - (iii) A385 Totnes Road, Paignton

Walking and Cycling Network

3. Development of the strategic public rights of way and cycling network, including the extension of the National Cycle Route Network, and the maintenance and improvement of the South West Coast Path. Effective integration with public transport services and linking of key residential and employment centres will be encouraged.

Rail Network

4. Maintenance and enhancement of the rail network serving the Bay including new or improved passenger and freight rail services to and from the Bay, a new station at Edginswell, Torquay and continued enhancement of existing stations.
5. Minimising the impact of development upon level crossings, and where necessary seeking developer contributions to help fund improvements to level crossings, where these are required as a result of development.

Ferry Service

6. Development of a frequent, all-year-round high quality ferry service and necessary land based infrastructure between Torquay and Brixham Harbours and other external ports, including use of water-based transport to deliver goods.

Bus and other Public Transport Services

7. Improvements to the bus and public transport networks to service new development and ensure connectivity within and between town centres, district and local centres.

Transport Hubs

8. Development of transport hubs in sustainable locations with good links to existing and planned residential areas, town centres and other retail centres, healthcare facilities and radial or orbital routes to increase accessibility, in particular in the following locations:
 - (i) Broomhill Way, Torquay
 - (ii) Gallows Gate, Torquay
 - (iii) Occombe Farm, Paignton
 - (iv) Churston, Brixham

Explanation:

4.3.11 An integrated transport system provides sustainable transport choices and will facilitate sustainable travel into and around the Bay. It is also intended to ensure a smooth running and efficient road network by promoting sustainable travel and by tackling issues that result in localised congestion and regular delays.

4.3.12 The strategic improvements identified in Policy SS6 are divided into those that improve the highway network and those that facilitate more sustainable transport. This reflects the prioritisation in the Local Transport Plan 3 (LTP3, 2011), and associated Implementation Plan, in on-going 'Foundation Schemes', such as bus service improvements and minor congestion relief schemes, and 'Targeted Capital Interventions' focussed on small geographical areas, such as specific junction upgrades.

Strategic Transport Network

4.3.13 To deliver the Local Plan's aspirations and objectives, improvements are needed to ensure the Strategic Transport Network, as well as its component networks, are fit for purpose and accessible, in order to ensure free movement around the Bay and to the wider sub region and beyond. This is vital to delivering economic prosperity and also to the support of new development.

4.3.14 For example, the provision of clear, legible and direct connectivity between Kerswell Gardens and Torquay Town Centre and Harbour, via Torre, is essential for the successful regeneration of Torquay Town Centre as well as the success of businesses and service providers along the route. Proposals such as junction improvements, a new railway station, a transport hub and new cycle routes will help improve this route into Torquay and support the role of the South

Devon Highway. These will contribute directly to ensuring the success of the Strategic Delivery Policies for Torquay (Policy SDT1), and delivery is intended within the next 3-5 years.

4.3.15 Similarly, improvements to the Western Corridor are underway and scheduled for completion during the two first phases (i.e. years 1-5 and 6-10) of the Local Plan period, with substantial completion intended in the next 6 years. This is critical to the delivery of development both to the west of Paignton (Policy SDP3) and in Brixham (Policy SDB1).

4.3.16 Improvements to the A385 Totnes Road (Torbay / South Hams border to Tweenaway Cross, Paignton) will ensure better connectivity between Torbay, Totnes and national and international destinations for communities and businesses in Paignton and Brixham. A comprehensive solution to transport issues is needed to enable the longer-term development in Collaton St Mary (Policy SDP3.3); development contributions are expected to help fund these strategic improvements.

4.3.17 Improvements to the A385 should also alleviate congestion and reduce rat-running including through Marldon/Berry Pomeroy and Galmpton, and reduce impacts further afield. Improvements to the A385 will be carried out in co-operation with Devon County Council and South Hams District Council. This work is likely to take 10 years plus to carry out, and therefore significant development along the Totnes Road Corridor is likely to be towards the end of the Plan period.

Facilitating Sustainable Transport

4.3.18 The improvement and expansion of a safe pedestrian and cycle network throughout Torbay connects residential areas with

employment, shops and leisure facilities, and connects with the National Cycle Network. Detailed routing will need to address matters such as rights of way. This will encourage increased use of walking and cycling for journeys to work, school and for recreational purposes. New developments will play a key role in their expansion and improvement. Some routes are capable as acting as 'green trails' for walkers, cyclists and horse riders, thereby assisting the implementation of the Torbay Green Infrastructure Delivery Plan (2011).

4.3.19 In addition, footpaths such as the South West Coast Path and the National Cycling Network are valuable tourism and recreation assets.

4.3.20 Footpaths and cycle paths should be designed to accommodate wheelchair and mobility scooters, for example by being

of sufficient width, clear of unnecessary obstructions and with appropriately designed gates. Further guidance can be obtained from the Council's Highways Team and in the NHS National Institute for Clinical Excellence Guidance PH41: Walking and Cycling (2012).

4.3.21 New developments may require the creation of additional bus services or stops to be provided to ensure the standard of provision is retained or enhanced, for instance by providing new destinations or increased weekend running. All residential areas should have access to education, employment and healthcare within 45 minutes by public transport, with an aim to achieve a minimum daytime service frequency of 30 minutes wherever possible throughout Torbay. There is also a commitment to continue improvements to bus information services. In considering the extension of these services, the Council will have regard to the cost and



viability of the service. It is important to ensure that public transport is as financially viable as possible, given the likely scarcity of public sector subsidy.

4.3.22 The rail network provides a vital connection not just throughout the Bay but to the sub-region and beyond. The rail network south of Paignton to Kingswear is operated by the Dartmouth Steam Railway. An integrated transport system must include new and additional train services to and from the Bay. Securing additional main line inter-city routes between Torbay, London and Birmingham is vital to provide fast and efficient long distance travel. Demand for local services between Torbay, Newton Abbot and Exeter is strong and future measures, such as the Devon Metro scheme, are proposed to increase the capacity and frequency of services, with new stations serving expanding, mixed use communities such as at Torquay Gateway. The Council will support measures to expand rail services past Paignton, subject to other Policies in the Local Plan and the Local Transport Plan.

4.3.23 Water transport also provides a valuable form of transport for commuters and tourists. A new regular all year round ferry service is proposed from Brixham to Torquay. This will help to reduce the reliance on the road network to access Brixham, whilst also reducing the Bay's carbon footprint and total number of car trips on the highway. There could also be ferry connections from Torbay to other external destinations along the South Coast and beyond. New ferry services do not require planning permission per se. However, harbourside and on-shore facilities and improvement will be supported subject to the other Policies of this Plan. Such works should have regard to the requirements of the Habitats Regulations and be acceptable in terms of the SAC and Marine Conservation Zone.

4.3.24 The development of well located, high quality transport hubs can help to reduce town centre congestion and pollution, reduce car journey length and improve the accessibility of urban centres. A number of these are proposed in the Local Plan, in locations that will help deliver the transportation objectives set out in Policies TA1 and TA2.

Policy SS7 Infrastructure, phasing and delivery of development

A range of physical, social and green infrastructure will be sought in order to help Torbay grow in a sustainable, healthy and prosperous way.

In order to be permitted, development must be supported by provision of the critical infrastructure required for the development to proceed. Development that does not meet critical infrastructure requirements such as those relating to flooding and highway safety or ecological/environmental improvements to meet Habitats Regulations requirements will not be permitted.

Major development will be expected to contribute to the provision of an appropriate range of physical, social and environmental infrastructure, commensurate to the type and scale of development, and the needs of the area.

Where necessary, development will be phased to ensure it comes forward at the same time as, or following, the provision of infrastructure. New infrastructure should be provided in the most environmentally friendly way possible, consistent with meeting communities' needs, safety and amenity. Infrastructure should encourage healthier lifestyles and provide recreational opportunities by providing for walking, cycling and other recreational opportunities. Provision of new infrastructure will only be approved where the Council has ascertained that it would not have an adverse effect on the integrity of any sites protected under European legislation.

Planning conditions will be used, or s106 Planning Obligations will be sought, to ensure timely provision of physical, social or environmental infrastructure (where not covered by CIL) where required by a development.

In seeking developer contributions, regard will be had to:

1. The tests of lawfulness regulating developer contributions;
2. The need to prioritise critical infrastructure, e.g. flood defence works, highway safety works and/or ecological/environmental improvements to meet Habitats Regulations requirements;
3. Evidence of development viability;
4. The impact of the development;
5. Torbay Community Plan themes and objectives; and
6. Availability of other sources of funding including, but not limited to, CIL and ring-fenced government or other moneys.

Explanation:

4.3.25 It is clear that in a small geographic and self-contained area such as Torbay, much existing or new infrastructure has a strategic, Bay-wide impact, rather than a more local role.

4.3.26 Details of the infrastructure needed to accommodate employment and housing growth are set out in the Torbay Infrastructure Delivery Study (2012).

4.3.27 This Study categorises three types of infrastructure needed in relation to development:

1. *Critical infrastructure*: physical and enabling infrastructure, which must be delivered on time to allow proposed development to proceed in narrow

physical or safety terms (e.g. road access, flood defence works, sewerage capacity, water and electricity). Green infrastructure necessary to make development comply with Habitats Regulations requirements, particularly affecting the SAC and Marine SAC, will be treated as critical infrastructure;

2. *Necessary infrastructure*: needed to support development but would not necessarily have to be delivered ahead of it (for example, education provision, healthcare, sports facilities, open space); and
3. *Desirable infrastructure*: in order to add quality to the development and assist with wider sustainable development

objectives, such as community facilities.

4.3.28 A range of social and community infrastructure and green infrastructure is needed to support sustainable development. Green infrastructure is addressed in Policy SS9. Some green infrastructure, such as flood defences, is critical to human safety. Other green infrastructure items such as open space or biodiversity offsetting are necessary to development being carried out in a sustainable way.

4.3.29 The Torbay Infrastructure Delivery Study indicates a significant need for funding in order to deliver the infrastructure required to meet the Local Plan's development target. Some items such as the South Devon Highway and Western Corridor improvements have been completed or are already underway. Others, such as increasing the capacity of trunk sewers, will be brought forward with service providers such as South West Water as part of their Asset Management Plans. There will be a need for developer contributions, whether s106 Planning Obligations or CIL, to bridge infrastructure funding gaps.

4.3.30 The Assessment of Future Sewer Capacity Study to 2032 (2014) identifies the need for a programme of Sustainable Drainage Systems (SUDS) and Water Sensitive Urban Design (WSUD). Policies ER1, ER2 and W5 deal with flood risk and water management in more detail. There will be a need for developer contributions, whether s106 Planning Obligations or CIL, to help bridge infrastructure funding gaps. Matters that deal with critical infrastructure, such as flood protection, will be given the highest priority, and development will not be permitted if such matters cannot be satisfactorily addressed.

4.3.31 The Local Plan has been phased to allow less constrained sites, such as those within the built-up area and where good infrastructure exists or is being provided, to come forward earlier in the Plan period. Areas which will require longer term infrastructure provision, such as Collaton St Mary, are phased later in the Plan period.

4.3.32 It is emphasised that infrastructure planning is constantly evolving and requires choices to be made about priorities. Whilst developments require infrastructure to function, they also contribute to it, for example through developer contributions. Further information about the deliverability of the Local Plan is set out in Section 7: Delivery and monitoring.

4.3.33 There are likely to be different ways in which infrastructure can be provided. The Council will seek in particular the delivery of environmentally friendly infrastructure, such as sustainable drainage, water efficiency measures and renewable energy/micro generation solutions, so long as these have major biodiversity and recreation benefits and do not prejudice the effective operation of infrastructure or community safety.

4.3.34 Developer Contributions (s106 Planning Obligations and Community Infrastructure Levy (CIL)) are an important means by which key infrastructure funding can be raised from development, although these will only raise sufficient money to meet a fraction of Torbay's needs.

4.3.35 It is recognised that there may be a need to negotiate with developers about the provision of infrastructure items, having regard to viability and the many pressures upon s106/CIL funding. A Supplementary Planning Document will be published on developer contributions, and the negotiation

of development viability-related matters. However, notwithstanding the above considerations, developments that are unable to mitigate successfully matters such as flood risk will not be permitted.

4.3.36 S106 Planning Obligations are regulated by legal tests (which are set out in Paragraph 204 of the NPPF). It is not permitted to use s106 Planning Obligations

for items that are funded by CIL. Nevertheless s106 Planning Obligations are a useful way of seeking infrastructure needed by major developments. A Supplementary Planning Document will be published setting out s106 Planning Obligations priorities.

4.3.37 Further information on Torbay's CIL is set out in Section 7.

4.4 Aspiration 3: Protect and enhance a superb environment

Introduction

4.4.1 Torbay has a spectacular natural environment, with a superb Bay and nationally and internationally important landscapes. There is rare wildlife and important rock and coral formations. Torbay's environment supports much of the Bay's economic activity and investment. It's vital that's not undermined. Indeed, this Plan promotes significant environmental enhancement, for example through new green infrastructure.

4.4.2 Torbay has a natural environment of international importance in terms of its biodiversity, geodiversity and landscape beauty. There is a high concentration of designated conservation sites, including two European Special Areas of Conservation, a National Nature Reserve and a number of Sites of Special Scientific Interest. About 31 square kilometres of Torbay is rural, about 45% of the Torbay Unitary Authority area. There are 45 kilometres of coastline and over 20 public beaches. About 42 square kilometres of sea are within Torbay's boundary.

4.4.3 Torbay's natural environment is of great importance for its own sake, but

also of considerable value as a tourist attraction. The English Riviera is the only urban Global Geopark designated by UNESCO, recognising Torbay's varied and internationally significant geology across a range of geological periods. The south of the Bay is part of the South Devon AONB. The Council is committed to promoting sustainable development which protects and enhances the natural environment and helps to restore degraded assets.

4.4.4 There is much support for an improved green infrastructure network, made up of interconnected open spaces that provide environmental, social and economic benefits. These spaces connect the urban landscape with the wider countryside. They provide a range of functions, including walking, cycling, education, wildlife management, flood alleviation, local food production and energy production, and add value to Torbay's ecosystem.

Policy SS8 Natural environment

All development should have regard to its environmental setting and should positively contribute to the conservation and enhancement of the natural assets and setting of the Bay.

The Council will safeguard, conserve and enhance the valued qualities, features and attributes of sites protected under European legislation and other important natural landscape, including tranquillity, dark night skies, bathing waters, biodiversity and geodiversity within the Bay, commensurate with their importance. This will ensure that:

1. Sites, species and habitats protected under European, or equivalent, legislation will be protected from development. Development around the edge of the built-up area will be required to protect and manage wildlife and habitats, including corridors between them, in accordance with Policy NC1. Particular attention must be paid to Greater Horseshoe Bat flight paths, and Cirl Buntings.
2. Within the Area of Outstanding Natural Beauty (AONB), the conservation of the landscape and scenic beauty, biodiversity and geodiversity will be given great weight and afforded the highest status of protection. Development will only be permitted in exceptional circumstances where it can be demonstrated to be in the public interest. Planning applications should include an assessment of need for the development, economic impacts, alternative means and locations of provision, the impacts of the proposal on the environment, landscape and recreation, and the extent to which impacts could be moderated;
3. Development proposals outside of the AONB will be supported where they conserve or enhance the distinctive landscape character and biodiversity of Torbay or where the impact of development is commensurate with the landscape and ecological importance. However, it will be particularly important to ensure that development outside the AONB does not have an unacceptable impact on the special landscape qualities of an adjoining or nearby AONB or other valued landscapes such as country parks. In assessing new development outside AONB, the value of natural landscapes will be carefully considered, using the Torbay Landscape Character Assessment and other relevant management plans, to help ensure the objectives for their conservation are met; and
4. The Council will, in considering major planning applications, seek long term land management practices to maintain or restore landscapes, greenspace, dark corridors. and amenity open spaces, integrating biodiversity and green infrastructure objectives including improved public access. If development impacts adversely upon biodiversity, geodiversity or countryside management, developer contributions and mitigation measures will be required to improve management or enhancement of the natural environment with a goal of achieving a net gain in biodiversity.

Explanation:

4.4.5 In landscape terms, about 700 hectares around Brixham and the south of Paignton are within the South Devon Area of Outstanding Natural Beauty (AONB). In addition, some land to the south west of Paignton has an indirect effect upon the setting of the AONB within the South Hams. The AONB is a nationally important asset and must be given the highest status of protection from development and change. Policy SS8 is consistent with the NPPF.

4.4.6 The landscape character and management schedules contained in the Torbay Landscape Character Assessment (2010) will be taken into account when assessing the landscape impact of proposed development. Consideration should also be given to the strategic significance of key landscape areas in relation to maintaining the identity of settlements (see also Policy C1 'Countryside and the rural economy'). In addition, other plans give guidance on landscape and related management matters. These include the South Devon AONB Management Plan (2014), Torbay Green Infrastructure Delivery Plan (2011), Torbay Biodiversity and Geodiversity Action Plan (2007), River Basin Management Plan (South West River Basin District)(2009), Brixham Urban Fringe Study (2011) and Shoreline Management Plan (2011).

4.4.7 The Shoreline Management Plan sets out how coastal change should be managed and recommends where land and communities should be protected, taking account of predicted sea level rise. Development in coastal areas should also have regard to Policy C2 'The coastal landscape'. In addition to national sites, Torbay has a network of locally important wildlife sites and corridors. These are shown on the Policies Map and are addressed by

Policy NC1 'Biodiversity and geodiversity'. Other Policies in the Local Plan such as C4 'Trees, hedgerows and natural landscape features' are also relevant. Regard should be had to the Torbay Biodiversity and Geodiversity Action Plan in respect of all target habitats and species in Torbay.

4.4.8 In negotiating landscape, biodiversity and green infrastructure mitigation packages as part of developments, the plans and other documents referred to above will be taken into account. The Council will require no overall detriment and will seek net gains to the natural environment in accordance with Paragraphs 9 and 117 of the NPPF. Policy C4 'Trees, hedgerows and natural landscape features' is also relevant. However, such mitigation measures cannot be used to compensate intrinsically unsuitable development (see Policy NC1). High quality bathing waters are an important asset both for ecology and tourism in Torbay. The Bathing Waters Directive requires that the quality of sea water be improved. Policies ER2, ER3 and W5 seek to minimise the impact of wastewater upon bathing water qualities, for example by removing existing and restricting new surface water connections to combined sewers.

4.4.9 Policies for the development of renewable energy will be considered on the basis of Policy ES2 'Renewable and low carbon infrastructure', and supported where they are consistent with landscape and other environmental policies.

4.4.10 Much landscape is man-made and there is an interrelationship between the historic and natural environment for example when considering hedgerows, field patterns and other naturalised features (see Policies SS9 and C4).

Policy SS9 Green infrastructure

The Local Plan seeks to integrate new development with strategic green infrastructure, and to protect and provide high quality green space at a local level.

Developments will be assessed against their ability to deliver high quality green infrastructure or contribute to the enhancement of the green infrastructure network. This assessment will seek to ensure that the following criteria are met, proportionate to the scale of development proposed:

- a) A green infrastructure-led approach is followed in planning for and design of new development that considers the landscape context and relationship to existing and proposed green infrastructure assets and their functions;
- b) Multifunctional and connected space with a range of mutually compatible functions is provided where practicable;
- c) Public open space and public access are considered at an early stage and form a key driver for the layout of development schemes;
- d) The safety, amenity and use of public open space, access routes and green corridors (including urban wildlife corridors) is considered, and schemes are designed to encourage community integration, civic pride and access for all;
- e) Where necessary, green infrastructure should be designed to mitigate for loss of foraging habitat and/or linear features used as flyways by Greater Horseshoe Bats where the features lost contribute to the integrity of the South Hams SAC; and
- f) Maintain existing and contribute to new tree planting and woodland creation.

Existing and proposed green infrastructure, including country parks, the strategic footpath network and the South West Coast Path, will be protected and managed to safeguard the asset. Developments will be required to make contributions proportionate to their scale for the protection, management and improvement of green infrastructure. Existing and new Geopark Access Hubs will be supported.

New Country Parks are proposed in the following locations:

1. Maidencombe, Torquay
2. Great Parks, Paignton

A new Countryside Access and Enhancement Scheme will be delivered at:

3. White Rock, Paignton

The Council will work with landowners and the community to secure green infrastructure links between Great Parks, Collaton St Mary and White Rock.

Explanation:

4.4.11 Green infrastructure is a network of multi-functional, accessible green spaces which provide multiple economic, quality of life and environmental benefits for the local community. It can include parks, gardens, woodlands, allotments, footpaths, coast and the sea.

4.4.12 The importance of the landscape, biodiversity and public access to green space has been recognised since the Victorian era. In recent times the health and community cohesion benefits of a network of rural and urban green elements have also been acknowledged.

4.4.13 Green infrastructure is a fundamental part of sustainable development and the Local Plan is committed to ensuring that new development protects and enhances a network that is vital to the future of Torbay. Paragraphs 69-70 of the NPPF set out a requirement for a range of green infrastructure elements, in order to foster the development of healthy and inclusive communities.

4.4.14 There is a variety of natural features that provide multiple benefits including urban green spaces and corridors, trees, ancient woodland, nature reserves, water courses and water bodies. The Council will seek to protect and improve these features because of their biodiversity and wildlife value, ability to generate green goods and services, and their contribution to human health and wellbeing. This includes activities such as climate regulation, water purification and flood risk management.

4.4.15 Green infrastructure objectives will be seen as a critical part of the considerations embedded at the start of any development project. The Council will work with key partners such as the Torbay Coast and

Countryside Trust and Natural England, together with the wider South Devon Green Infrastructure Partnership, to improve Torbay's rich terrestrial and marine environments. This takes a network approach going beyond looking at individual sites to the bigger picture, including the links between spaces, the multiple purposes they can have and wider environmental benefits.

4.4.16 As a result, there are also green infrastructure links with neighbouring authorities, such as the Aller Valley green infrastructure and cycle links (Teignbridge District Council), and enhanced access to and within the Yalberton Valley and Kingswear Peninsular (South Hams District Council). The Recreational Impacts on Berry Head Study (2014) has indicated that development within 5km of Berry Head (broadly equivalent to SDB1 Brixham Peninsula) could place additional pressure on this component of the South Hams SAC. It has identified measures needed to be carried out to enhance the management and durability of Berry Head (See Policy NC1).

4.4.17 Because green infrastructure supports a wide range of activities and functions that are vital for society to function effectively, it will be considered as having the same weight as traditional 'grey' infrastructure such as roads, utilities and flood defences.

4.4.18 Existing and proposed green infrastructure assets are identified in the Torbay Green Infrastructure Delivery Plan (2011), including country parks and geopark access hubs. There are existing Country Parks at Cockington (Torquay), Occombe (Paignton) and Berry Head (Brixham). Due to the incidence of numerous overlapping Local Plan Policies within the Berry Head Country Park, the Key to the Policies Map shows a 'Berry Head Special Area'. This is not

a policy designation; it is shown for mapping purposes only in order to clarify the range of designations lying within it (see also Policy SDB1).

4.4.19 There are existing Geopark Access Hubs at Kents Cavern (Torquay), Occombe (Paignton), Goodrington (Paignton) and Berry Head (Brixham). Opportunities for further such Hubs will be explored at Maidencombe, Watcombe, Cockington, Great Parks, Yalberton Valley, White Rock, Lupton (Churston) and Sharkham. Additional Country Parks are to be delivered at Maidencombe and Great Parks, the latter adjoining and as part of new housing development. A Countryside Access and Enhancement Scheme will be delivered as part of new development at White Rock. Further similar opportunities may be available elsewhere, particularly as part of proposals coming

forward within Strategic Delivery Areas. The Torbay Green Infrastructure Delivery Plan (2011), along with the neighbourhood planning process, will empower communities to identify key priorities for green infrastructure development over the next 20 years.

4.4.20 Country parks and other green infrastructure are often of historic importance, particularly Cockington (Torquay) and Berry Head (Brixham). Policy SS9 is relevant to the consideration of these historic assets

4.4.21 Consideration of green infrastructure matters should be a coordinated, cross-disciplinary approach to evaluating impacts and mitigation/compensation measures. Further advice about good practice can be obtained from Torbay Coast and Countryside Trust.



Policy SS10 Conservation and the historic environment

Development will be required to sustain and enhance those monuments, buildings, areas, walls and other features which make an important contribution to Torbay's built and natural setting and heritage, for their own merits and their wider role in the character and setting of the Bay. This includes all designated and undesignated heritage assets, including scheduled monuments, historic buildings (both nationally listed and of local importance), registered historic parks and gardens, conservation areas, and archaeological remains.

All heritage assets will be conserved, proportionate to their importance. In particular approval of a scheme causing substantial harm to, or loss of, a Grade II listed building, park or garden will be exceptional. Substantial harm to or loss of designated assets of the highest significance, notably scheduled monuments, Grade I and II* listed buildings and Grade I and II* registered parks and gardens will be wholly exceptional.

Proposals that may affect heritage assets will be assessed on the following criteria:

1. The impact on listed and historic buildings, and their settings;
2. The need to encourage appropriate adaptations and new uses;
3. The need to conserve and enhance the distinctive character and appearance of Torbay's conservation areas, while allowing sympathetic development within them;
4. The importance of protecting and promoting the assessment and evaluation of Torbay's ancient monuments and archaeological remains and their settings, including the interpretation and publication of archaeological investigations;
5. The safeguarding of the character and setting of Torbay's historic parks and gardens;
6. The impact on vistas and views of Torbay's historic features and areas which form part of the visual and tourist appeal of Torbay;
7. Whether the impact of development, alteration or loss is necessary in order to deliver demonstrable public benefits, taking into account the significance of the heritage asset. The more important the heritage asset, the greater the benefits that will be needed to justify approval; and
8. Whether new development contributes to the local character and distinctiveness of the area, particularly through a high quality of design, use of appropriate materials, or removal of deleterious features.

Proposals that enhance heritage assets or their setting will be supported, subject to other Local Plan Policies.

Explanation:

4.4.22 Torbay has a rich and varied history, which has helped create a high quality built environment in which to live, work and visit. The relationship with the sea has helped shape Torbay's built form. Its history is evidenced by a wide range of historic features, including Palaeolithic sites and finds of international importance such as Kents Cavern, Bronze and Iron Age field systems in St. Marychurch, mediaeval manors that remain the basis of settlement patterns, the best preserved monastic remains in Devon, and Napoleonic and Second World War fortifications in Brixham. Paignton boasts what is thought to be the oldest purpose-built cinema in Europe, which is a significant heritage asset. The Council will keep under review the need both for amendment to existing Conservation Area boundaries and for the designation of new Areas.

4.4.23 During the 19th Century, the main settlements in Torbay expanded in a very different way from previously. The arrival of the railway and development of tourism, combined with the close relationship with the coastal strip, the sea and buildings, resulted in the creation of a recognisable and unique locale: the English Riviera. This was and remains strongly influenced by an Italianate aesthetic, especially characterised by large ornamented villas set in landscaped grounds.

4.4.24 The integration of Torbay's heritage assets with modern development forms an important part of the maintenance and development of Torbay's unique character. Urban renewal, regeneration, and preservation of the historic environment can give rise to competing pressures. Careful development management is essential to ensure heritage assets and key features are conserved, while ensuring good quality development which contributes to the

community good.

4.4.25 The historic environment is important not just for its own sake. It adds value to regeneration and has been a major draw in attracting visitors to the Bay and acting as a stimulus to economic and tourist activities. It is also a source of demonstrable local pride as well as a valuable educational and aesthetic resource.

4.4.26 Conservation areas are designated under conservation legislation, currently the Planning (Listed Buildings and Conservation Areas) Act 1990. Torbay has 24 Conservation Areas as set out, for information, in Appendix E and indicated on the Policies Map. Section 72 of this legislation sets out a duty in conservation areas to pay "special attention to the desirability of preserving or enhancing the character or appearance of the area".

4.4.27 The Planning (Listed Buildings and Conservation Areas) Act 1990 also provides special protection to listed buildings, and consent is required to make alterations or demolitions to the building, including internal features and features within the curtilage built before 1948. Torbay has over 890 entries in the National Heritage List for England (NHLE), comprising over 1,000 structures and buildings. Of these, 6 are Grade I and 30 Grade II*, comprising nearly 60 structures and buildings.

4.4.28 Torbay also has six parks and gardens which are listed in the National Register of Parks and Gardens of Historic Interest. The Register is intended to ensure that their historic value is taken into account when considering development proposals. Torbay's parks and gardens listed in the National Register are listed below. All are Grade II apart from Lupton, which is Grade II*.

1. Watcombe (Brunel) Park, Torquay
2. Barton Road Cemetery, Torquay
3. Castle Tor, Torquay
4. Princess Gardens and Royal Terrace Gardens, Torquay
5. Oldway Mansion, Paignton
6. Lupton Park, Brixham

4.4.29 A small number of historic buildings or sites have special protection as Scheduled Monuments, which are considered to be of national importance. They are protected under the Ancient Monuments and Archaeological Areas Act 1979. Works to or near Scheduled Monuments are controlled by Historic England. It is this body that authorises scheduled monument consents, rather than the local authority. Torbay contains 13 Scheduled Monuments and these are listed in Appendix E ‘Conservation Areas and Scheduled Monuments’.

4.4.30 Policy SS10 seeks to ensure that heritage assets are safeguarded for the future, and where possible enhanced both for their own merits and as part of regeneration projects. It is also sufficiently flexible to ensure that any harm to the significance of a historic asset can be weighed against the wider benefits of an application, for example social, economic and environmental enhancement. This approach is consistent with the objectives of Historic England Advice Note 3 ‘The Historic Environment and Site Allocations in Local Plans’. An objective Statement of Historic Significance will be required in support of an application that has a potential impact on historic assets. This should be proportionate to the scale of the proposal, but is particularly relevant to applications affecting listed buildings.

4.4.31 Once heritage assets have been lost, they cannot be replaced, while their significance can be eroded through

unsympathetic alteration or development within their setting. The Council will expect reasonable efforts to be made to find a viable use for a heritage asset in order to conserve its significance.

4.4.32 Historic Landscape Characterisation, Conservation Area Character Appraisals, the Torbay Historic Environment Record (HER) and the Torbay Heritage Strategy will be used to further inform and understand the contribution that designated and undesignated heritage assets make to Torbay’s history, character and communities.

4.4.33 The Torbay Heritage Strategy was adopted in 2011. Its purpose is:

- 】 to develop a strategy that will help maintain the local and community identity;
- 】 to be mindful and respectful of the things that make Torbay a special place;
- 】 to contribute to the quality of life for residents and the community;
- 】 to initiate conservation-led regeneration to maintain geographical and historical character;
- 】 to restore original and sentimental character to heritage assets; and
- 】 to encourage an already thriving tourist economy.

4.4.34 Policies SS8 and C4 are relevant to natural features and naturalised man-made features (such as hedgerows or historic ruins) of historic and landscape significance.

4.4.35 In considering proposals that may affect historic assets or their setting, regard should be had to the ambitions of the Torbay Connected project to improve the legibility and enjoyment of buildings and spaces by showcasing cultural, geological and social heritage. This project arose out of plans to create a new creative hub at

Cockington Court and to strengthen the links with surrounding cultural facilities. The project has been taken Torbay-wide and is focussed on creating legible places that are distinctive, memorable and enjoyable to move around. This can be achieved by creative interventions in the design of buildings and spaces to promote Torbay's rich cultural, geological and social heritage. The existing hierarchy of buildings and public spaces provides a starting point in identifying sites that have the greatest influence on legibility and connectivity. Developers of sites that are likely to assist the delivery of Torbay Connected's aims will be encouraged to engage with the Council at an early stage in the scheme design to explore the possible ways of improving legibility and achieving strong place-making.

4.4.36 In determining planning proposals, the Council will seek to achieve improvements to the built and historic environment, and will seek to support proposals that enhance these. Regard will be had to the need to find uses for historic buildings that may now be less suitable for their current purpose. The use of traditional materials will be sought for all development and refurbishment proposals

where it is appropriate to do so, including those materials that are locally sourced.

4.4.37 There are instances where removal of unsightly later additions to historic buildings will be sought when negotiating the change of use of buildings. Policy TO2 sets out criteria for considering proposed change of use of holiday accommodation, and seeks the removal of unsightly later 20th Century additions to historic buildings, which were only deemed acceptable to support tourism.

4.4.38 The Torbay Urban Design Guide Supplementary Planning Document was adopted in 2007. The SPD is subject to review but will continue to be used to inform decisions on development proposals in support of Policy DE1. In addition, the Conservation Area Appraisals and Torbay Streetscape Guidelines provide relevant advice on historic environment related matters. These include support for heritage-led regeneration, promoting greater understanding of the significance of the historic environment, sensitive adaption and the re-use of existing fabric and its contribution to delivering sustainable development.



4.5 Aspiration 4: Create more sustainable communities and better places

Introduction

4.5.1 Torbay's Community Plan (2011) aims to unlock Torbay's potential and drive forward its economic prosperity to give us prosperous communities with a higher quality of life and improved access to jobs. Development has a profound influence on quality of life and harnessing growth will help secure a long-term sustainable future for the Bay and its communities.

4.5.2 Development should help improve communities, reduce disadvantage and promote personal well-being. The physical and natural environment will help to deliver positive impacts on public health, community safety and local environmental quality. The design of new development and public spaces will improve people's living environment and the appeal of the Bay as a destination. Good access to recreation, leisure facilities and nature, good environmental quality and safe and secure public spaces are vital ingredients in providing an attractive place for residents, workers and visitors. Development should also provide a range of community infrastructure to enhance education, life-long learning and healthcare facilities.

4.5.3 Torbay has significant concentrations of deprivation. These are focused in the Tormohun, Ellacombe, Roundham with Hyde and Watcombe Wards. There are also pockets of deprivation and poverty in Blatchcombe and St. Mary's with Summercombe. In addition, around 9,600 people are in private rented accommodation funded by housing benefit. That accommodation is often of poor quality, the least energy-efficient, and occupied by young and vulnerable people.

4.5.4 Health indicators for Torbay show a mixed pattern strongly related to demographics and levels of deprivation. Overall, average life expectancy in Torbay is in line with national figures but at a Ward level, there is a difference as large as 7 years for both males and females between the most prosperous and most disadvantaged Wards.

Sustainable development

4.5.5 It is important that the Local Plan provides a strategy for success. New housing is a key element in this. Having a decent home is one of the most fundamental considerations that affect quality of life. A strong and balanced local housing stock is essential to the prosperity of the area.

4.5.6 There is also a need to link new housing to measures to improve the Bay's economic prosperity, to regenerate Torbay, to stem an oversupply of small apartments and provide more family housing. All this needs to happen at a time of austerity where public funding and development viability are at a premium.

4.5.7 The Local Plan looks to enhance the best of Torbay's natural environment. Historically Torbay has been good at re-using brownfield land. That trend will continue, with a strong emphasis on making best use of urban land and buildings. However, brownfield sites do not release significant funding for much needed infrastructure.

4.5.8 Some development on greenfield sites is inevitable, not least because Torbay does not have enough brownfield sites, and one side of Torbay is sea. Only the least sensitive

greenfield sites will be used, with community support, where they make a substantial contribution to economic recovery in the Bay and the provision of family homes.

NPPF housing requirements

4.5.9 The NPPF (Paragraph 47) requires Local Plans to meet the objectively assessed needs for market and affordable housing in the housing market area as far as is consistent with the policies set out in the Framework. Within this, a rolling 5 year supply of deliverable sites must be maintained, with a longer term trajectory of at least 15 years plus.

4.5.10 Paragraph 159 of the NPPF requires planning authorities to carry out assessments of housing need and demand. They should carry out Strategic Housing Land Availability Assessment (SHLAA) to establish realistic assumptions about the availability, suitability and likely economic viability of land to meet the identified need over the Plan period.

Evidence of requirements

4.5.11 Torbay's housing market area closely follows the Unitary Authority boundary, although population growth is primarily driven by inward migration.

4.5.12 Evidence of Torbay's housing need and demand will be kept under review, particularly as population and household projections are regularly refreshed (see Section 7.5). The current evidence is set out in:

- 】 The most recent demographic data, currently the 2012-based ONS Population Projections (May 2014) and the 2012-based DCLG household projections (February 2015).
- 】 Torbay Housing Requirements Report (2013). This looks at demographic, economic and need-based requirements. It

concludes that 12,300 homes are required between 2012-32 if Torbay experiences economic success. If economic recovery and growth does not occur, the housing requirement is estimated to be around 8,500 homes.

- 】 Exeter and Torbay Housing Market Assessment (SHMA), Torbay Update (2011). This identifies a need for 820 dwellings per year, around 60% of which should be affordable. It notes that the demand for market housing will decrease if migration rates fall.

4.5.13 The 2011 Census reported Torbay's population as 130,959 within 59,010 households. The 2012 household projections (released February 2015) project an increase of 7,550 households between 2012-2030, equal to about 420 per year. The 2012-based population projections (published May 2014) indicate a population increase of 9,900 people between 2012-30, which is a third lower than the 2011-based figure. Analysis of the projections shows that they are dependent upon high migration rates.

4.5.14 Within this picture there are several other factors that are of relevance:

- 】 Population growth (due to inwards migration) accounts for 85% of growth in households in Torbay. About 10% of household growth is due to falling household size (sometimes called 'headship' or formation rates) and about 5% is due to other factors;
- 】 Torbay, along with neighbouring Devon authorities, has a population growth driven by inward migration from elsewhere in the country. Local deaths have outstripped births so the local population would naturally fall without migration. ONS projections have been adjusted downwards over the past 10 years;

- 】 Ageing population: about 24% of Torbay's population is aged 65+, which is projected to rise to 28% by 2021. However, the number of people aged 75+ actually fell between 2001 and 2011;
- 】 Household sizes did not fall between 2001-11, but may fall in the future, although any fall is likely to be less fast than predicted in the mid Twenty Zeros. A fall to 2.07 persons per household in 2032 (from 2.17 at the 2011 Census) would generate a home grown need for about 3,000 additional homes;
- 】 34% of households in Torbay contain only one person. However, the English Housing Conditions Survey 2013 indicates that 49% of owner-occupiers choose to under occupy (i.e. have 2 or more spare bedrooms);
- 】 Migration rates fluctuate significantly, with some evidence of a fall in recent years. The average net in-migration was 1,216 per year between 1991-2010, but only 400 per year 2007-2010; and
- 】 Birth rates have risen significantly in the last decade. Average live births 2008-2011 were 1,441 per year compared to 1205 per year in 2001-2003. However, deaths in Torbay still outnumber births by approximately 5:4.

Land availability

4.5.15 Torbay's evidence of housing land availability is set out in the Strategic Housing Land Availability Assessment (2013). This refreshes the 2008 SHLAA carried out by Baker Associates.

4.5.16 The SHLAA refresh identifies a maximum capacity of 11,200 dwellings between 2012-2032. The Council and Neighbourhood Forums have used the SHLAA as evidence base for plan-making. The Council assess that the SHLAA's capacity is unlikely to be delivered in its entirety during

the Plan period. This is due to a number of factors including:

- 】 Constrained market rates of delivery, especially in the early part of the Plan Period;
- 】 Landscape, Habitats Directive and infrastructure constraints on greenfield sites;
- 】 Impact on town centre viability from excessive loss of car parks; and
- 】 Danger of exacerbating urban deprivation by creating too many small apartments in inner-urban Wards.

4.5.17 The Council's assessment is that around 9,200 dwellings are developable within 20 years and about 7,500 in 15 years. Allowing for an element of non-completion this makes a range of between 8,000-10,000 homes over 20 years to be a positive but realistic figure.

Making better use of what we've got

4.5.18 The Council is also seeking to increase the supply of housing by bringing around 150 empty homes a year back into use, for the first 5 years of the Plan and thereafter, assuming that there remains a stock of empty homes. Although this would not usually require planning permission, the Council will consider whether there is a need for Local Development Orders, for example to make it easier to provide extensions or refurbishment works to out-dated accommodation, particularly where this would improve energy efficiency. Where bringing empty homes back into use would aid the supply of affordable housing, affordable housing contributions may be targeted towards meeting the 150 dwellings a year target.

4.5.19 Torbay has historically achieved a high rate of windfall development, and there is a

significant stock of small sites identified in the SHLAA where development could arise. Evidence indicates that housing supply of around 130 new homes per annum can be delivered on small sites (accommodating 5 or fewer net new homes) over the Plan period.

4.5.20 There is likely to be scope to provide spaceless housing growth by the conversion of commercial buildings and, for example, a careful reduction of secondary retail areas in town centres, working closely with Neighbourhood Forums to secure the right solutions. Care will be needed to ensure that the supply of viable business premises is not undermined, and that conversions do not perpetuate the supply of poor quality accommodation. Based on evidence in the

SHLAA and annual monitoring, it is intended to provide around 50% of new housing on brownfield sites.

Phasing of new housing development

4.5.21 A number of significant sites have already reached an advanced stage in the planning process. They have been the subject of Sustainability Appraisal to ensure that it is appropriate to identify them in the Local Plan. These are identified as committed sites in this Plan and help meet housing demand over the first 5 years, at least, of the Plan period. These include Scotts Meadow and Hollicombe in Torquay, and Great Parks, Yalberton and White Rock in Paignton. These



sites, in addition to small sites, brownfield sites and windfall sites will meet demand for new homes in Torbay for around 10 years, i.e. the first two phases of the Plan period. Masterplans have been adopted as SPDs for Torquay and Paignton Town Centres, to help define delivery of new homes.

4.5.22 The Local Plan also identifies Future Growth Areas within the Strategic Delivery Areas, which are identified in Policy H1 and shown as broad locations on the Policies Map. The Local Plan indicates broad quantum of development (homes and employment floorspace), and green and physical infrastructure that these Areas are expected to accommodate. Masterplans have also been adopted as SPDs for Torquay Gateway and Collaton St. Mary to help create more sustainable communities, to ensure that they are well-planned and provide an appropriate range of infrastructure, and to help define timing of development. The Council will work with Neighbourhood Forums and other stakeholders to bring forward sustainable development in these areas. The Neighbourhood Planning process is an important tool through which such areas will be delivered.

4.5.23 Because of the need to provide or upgrade strategic infrastructure, the proposed

Future Growth Areas are expected to be developed towards the latter part (post year 10) of the Plan period.

4.5.24 The Local Plan seeks to maximise the provision of affordable housing and has a tapered threshold for greenfield sites. This is set out in Policy H2 in Section 6.4.1. Where there is a demand for self-build housing, including that identified through Neighbourhood Plans or their evidence base, an element of self-build plots will be sought from development in accordance with Policy H3.

4.5.25 The delivery of homes will be monitored throughout the Plan period. This will be compared to ongoing evidence of need, infrastructure provision and economic performance. This may trigger a review of the number of homes required either upwards or downwards.

4.5.26 The distribution of new homes is set out in the Strategic Development Policies (SDT1, SDP1, SDB1). The expected approximate housing land supply over 20 years, and possibly beyond, is set out in Table 3 accompanying Policy SS12 below.

Policy SS11 Sustainable communities

Development will be assessed against its contribution to improving the sustainability of existing and new communities within Torbay, and especially the way in which it closes the gap between the most and least disadvantaged neighbourhoods. Development must help to create cohesive communities within a high quality built and natural environment where people want to live and work.

Proposals that regenerate or lead to the improvement of social, economic or environmental conditions in Torbay, and particularly within Community Investment Areas, will be supported in principle.

Development proposals will be assessed according to whether they achieve the following criteria, insofar as they are relevant and proportionate to the development:

1. Meet the needs of residents and enhance their quality of life;
2. Help to close the gap between the most and least disadvantaged people and neighbourhoods in Torbay;
3. Help to develop a sense of place and local identity;
4. Promote social inclusion, and seek to eliminate exclusion based on access to housing, health, education, recreation or other facilities;
5. Help to reduce and prevent crime and the fear of crime whilst designing out opportunities for crime, antisocial behaviour, disorder and community conflict;
6. Support local food production and consumption;
7. Create a well connected, accessible and safe community;
8. Contribute to the success of the local labour market by improving provision of and/or access to jobs and widening the pool of available labour;
9. Protect and enhance the local natural and built environment, where appropriate through planning contributions;
10. Deliver development of an appropriate type, scale, quality, mix and density in relation to its location;
11. Contribute towards any additional educational or training needs including the promotion and negotiation of local labour training arrangements, placements and apprenticeship schemes, and by promoting the provision of local employment space, in order to tackle worklessness;
12. Enable people to have access to local services to meet their day-to-day needs including open spaces, community halls (or rooms), play areas, leisure and recreation facilities and allotments; and
13. Provide a good standard of residential accommodation, by seeking to retain small to medium sized homes (2–4 bedrooms) and resisting change of use of these homes to HMOs and small self-contained flats. This applies especially in Community Investment Areas, identified on the Policies Map, and other areas with significant living environment deprivation.

Explanation:

4.5.27 Sustainable communities are places where people want to live, work and relax. They meet the diverse needs of existing and future residents, are sensitive to their environment, and contribute to a high quality of life. They are safe and inclusive, well planned, built and run, and offer equality of opportunity and good services for all. Buildings, open spaces and landscape all contribute to the character of the area and need to be considered as part of future development and to connect with established communities.

4.5.28 Good quality sustainable communities and neighbourhoods will have good access to employment and housing. Measures will be put in place to safeguard and improve the provision of facilities, such as those for health, education, social interaction, sport, recreation and transport, as well as services such as crematoria and cemeteries. The Council will help to address identified gaps in provision by the development of new facilities where levels of demand show this to be necessary.

4.5.29 Torbay Council, South Devon NHS Healthcare Foundation Trust and other partners are working together to narrow the gaps that exist between the least and most disadvantaged communities in the Bay. The Closing the Gap Project seeks to help address the inequalities in health, opportunity, well-being, achievement and ultimately life expectancy.

4.5.30 Health, well-being and the built environment are inextricably linked. Where new development occurs it is therefore important that the implications of the proposals upon the health and the well-being of the affected communities are considered. Health and well-being is clearly enhanced by attractive and inspiring environments, which offer a chance to make contact with nature.

4.5.31 Planning should create safe and accessible environments where crime and the fear of crime do not undermine quality of life or community cohesion (NPPF Paragraph 58 refers). The Police Architectural Liaison Officer (ALO) will provide advice and recommendations on designing out opportunities for crime, disorder, antisocial behaviour and community conflict in the built environment. In addition to design, the location and management of development are relevant. In appropriate cases, the Council will work with the Police ALO to assess the potential crime impact of development and, where impacts can be mitigated, the necessary management or mitigation measures (see also Policies TC5 'Evening and night time economy' and DE1 'Design').

4.5.32 Torbay, like many seaside resorts, is characterised by deep pockets of urban deprivation, which often exist close to more affluent areas. The Local Plan identifies Community Investment Areas as areas experiencing significant deprivation. Community Investment Areas are those locations (Super Output Areas - SOAs) which are indicated in the 2010 Indices of Multiple Deprivation as being within the 20% most deprived SOAs in England (accounting for 24,700 people).

4.5.33 These are clustered around:

- 】 Hele and Watcombe, Torquay;
- 】 Torquay central area;
- 】 Paignton central area;
- 】 Foxhole and Queen Elizabeth Drive, Paignton.

4.5.34 It is noted that the 2015 Indices of Deprivation indicate more widespread deprivation particularly in Torquay and Paignton Town Centres, Blatchcombe and Brixham Town Centre. The 2015 Indices

indicated 15 SOAs in the 10% most deprived and 20 within the 20% most deprived. Regard will be had to these revised areas where they are indicative of poor quality housing (living environment deprivation) or related matters.

4.5.35 The Plan supports investment in Community Investment Areas, and other areas which experience deprivation and related social issues. The Plan seeks to promote investment in such areas to provide new homes or mixed use schemes that help to achieve more balanced communities by delivering a mix of employment, family housing, healthcare, childcare, education and local centre facilities (see also Policy H1). In these areas the requirement to provide affordable housing on site may be relaxed, but commuted payments will be sought to support, alongside other funding streams such as Green Deal, the refurbishment and retrofitting of existing properties. The aim is to secure a better standard of accommodation, improved energy efficiency, renewable energy

provision and improved public space.

4.5.36 Because Community Investment Areas are usually established built-up areas, the scope for new greenfield development within them is likely to be relatively limited. In appropriate circumstances, developer contributions from other areas may be pooled to support refurbishment, bringing vacant property into use or other environmental improvements, in Community Investment Areas. The Council and TDA are seeking to bring at least 150 vacant dwellings per annum back into use, which has multiple benefits of regenerating areas, providing affordable housing and building local skills through social enterprise.

4.5.37 The Council will use Local Development Orders, Article 4 Directions and Compulsory Purchase powers to help deliver comprehensive urban renewal schemes and the ambitions of this Policy.

Policy SS12 Housing

In accordance with Policy SS1, provision will be made for 8,900 new homes over the Plan period or beyond, so long as these can be provided without harm to the economy or environment, including sites protected under European legislation.

Housing provision will focus upon a sustainable pattern of distribution throughout the Bay, with an emphasis upon the regeneration of brownfield sites and town centre sites, and development of urban sites. Mixed use developments with an appropriate range of dwellings to meet current and future needs will be sought where appropriate. Provision will be made for affordable housing.

Major new housing schemes will be brought forward via partnership between landowners, developers, the community and Council, utilising Neighbourhood Plans, in accordance with the broad numbers set out in Table 3, Policies SDT1 'Torquay', SDP1 'Paignton' and SDB1 'Brixham'. Development within the Brixham Peninsula (Policy SDB1) should have regard to Policy NC1 concerning the need for developer contributions to mitigate the impact of increased recreational pressure on the South Hams SAC.

The overall provision of homes will be carefully monitored to ensure that it is provided in a sustainable manner, and maintains a rolling five year supply of deliverable sites in accordance with Policy SS13. Where there is evidence that there is a need to bring forward additional housing beyond the figure above, appropriate locations will be identified through cross-boundary review of strategic housing land availability.

Table 3 Source of new homes (rounded to nearest 5 dwellings)

Location	Approx numbers of new homes
Torquay (SDT 1)	
SDT2 Torquay Town Centre & Harbour	825
SDT3 Torquay Gateway	745
SDT4 Babbacombe and St.Marychurch	255
Elsewhere in SDT1 (excluding SDT2, 3 & 4)	1090
Small windfalls (<6 dwellings)	1040
Torquay sub-total	3955
Paignton (SDP1)	
SDP2 Paignton Town Centre and Seafront	590
SDP3 Paignton North and Western Area	2250
SDP4 Clennon Valley	N/A
Elsewhere in SDP1 (excluding SDP2, 3 & 4)	650
Small windfalls (<6 dwellings)	795
Paignton sub-total	4285
Brixham Peninsula (SDB1)	
SDB2 Brixham Town Centre and Waterfront	65
SDB3.1 & SDB3.2	260
Brixham Urban Fringe and AONB	
Elsewhere within SDB1 (excluding SDB2, 3.1 & 3.2)	230
Small windfalls (<6 dwellings)	235
Peninsula sub-total	790
Total	9035

Explanation:

4.5.38 Evidence of housing need and demand is set out in the Strategic Housing Market Assessment (2013) and Torbay Housing Requirement Report (2013). The Strategic Housing Land Availability Assessment sets out a range of available sites, with options for increasing housing supply. The Council believes that the delivery of around 8,000-10,000 new homes is a good and reasonable balance of the need for new homes, economic growth, and environmental and infrastructure capacity limits. This figure meets the demographically implied provision in the 2012-based population projections and household projections derived from them, with an allowance for economic prosperity and meeting a backlog of need from hidden households. This figure will need to be reviewed and adjusted for changes in migration rates, household size and economic performance (and concomitant housing demand) as part of a major review of the Plan which will take place on a 5 yearly basis.

4.5.39 The Council will also keep vacant properties under review. Short-term vacancies will arise because of market churn (for example, dwellings being vacant between moves or whilst being refurbished) and should be added to housing requirements. Conversely long-term vacant dwellings (for longer than 6 months) represent a wasted resource that the Council is seeking to bring back into occupation (see Paragraph 4.5.18), and can be used to meet need. Current evidence indicates that the number of short and long-term vacant dwellings are roughly the same in Torbay (917 short-term and 1047 long-term in Autumn 2014), and therefore largely cancel each other out.

4.5.40 The Local Plan's housing target would meet the requirement as measured by the 2011-based (2013) DCLG Household Projections, which would equate to 8,800 dwellings if extrapolated to 2031. The figure

will need to be reviewed through monitoring, and adjusted for changes in migration rates, household size and economic performance.

4.5.41 The Council has identified sufficient development land for at least 5 years. These, and urban sites identified by Neighbourhood Plans, are expected to provide housing supply for the next 10 years or more. Committed and other deliverable housing sites are shown on the Policies Map for information, together with potential development sites for consideration in the three Neighbourhood Plans (see also Appendix C). Strategic Delivery Areas are expected to provide longer-term growth, as set out in Policies SS1 and SDT1 to SDT3, SDP1 to SDP3, and SDB1 to SDB3 which set out a range of place-making requirements to ensure they are developed as sustainable communities.

4.5.42 Development in Torbay is nearing the area's total capacity. A cross-boundary review of strategic housing land availability will be undertaken as part of a longer-term assessment of growth options, particularly if there is evidence of significant employment growth, which would generate a demand for additional housing. The 2012-based DCLG Household Projections indicate 7,550 additional households in Torbay between 2012-30. These figures are not based upon short-term migration trends but assume that inwards migration will return to pre-2008 levels later in the Plan period. This strongly implies that economic success is built into the household projections. Therefore it is not expected that there will be a jobs-generated housing demand above the Local Plan level for at least the first 15 years of the Plan (i.e. before the late 2020s), and possibly later.

4.5.43 Policy H2 sets out the Council's requirements for affordable housing, and Policy H3 supports the delivery of self-build housing.

Policy SS13 Five year housing land supply

The Council will maintain a rolling 5 year supply of specific deliverable sites sufficient to meet a housing trajectory of 8,900 dwellings over the Plan period 2012-30, including an allowance for windfall sites. The trajectory is:

400 dwellings per year for the period 2012/13 - 2016/17

495 dwellings per year for the period 2017/18 - 2021/22

555 dwellings per year for the period 2022/23 - 2029-30

New housing will be monitored to ensure that it is matched by the provision of infrastructure, particularly that which would support job creation. The 5 year supply of housing land will be updated annually as part of the Council's Housing Land Monitor.

Monitoring within the five year period

Sites comprising the Council's 5 year supply will be published annually as part of the Authority Monitoring Report.

Housing completions and permissions will be monitored on an annual basis to ensure that a rolling supply of deliverable sites sufficient to meet the five year requirement, and meet any shortfall within five years, is maintained (see Appendix C).

Where the supply of specific deliverable sites (plus windfall allowance) falls below this figure, or Neighbourhood Plans do not identify sufficient sites to meet Local Plan requirements in years 6-10 of the housing trajectory, the Council will either:

1. Bring forward additional housing land from later stages of the Plan, working closely with land owners, developers and Neighbourhood Forums; or
2. Identify additional sites through new site allocation development plan documents; or
3. Consider favourably applications for new housing, consistent with Policy SS2, H1 and other Policies of this Plan.

New housing leading to the 5 year supply figure being exceeded will be permitted where:

- i. The proposal would bring social, regeneration or employment benefits, including through the provision or funding of infrastructure;
- ii. The proposal would not lead to serious infrastructure shortfalls; and
- iii. The proposal is consistent with other Policies in the Local Plan.

Five year review of the Local Plan

The Local Plan will be reviewed on a five year basis from adoption, and the housing trajectory adjusted if assessed by the Council to be necessary to meet objectively assessed needs. Further details of criteria to be considered at the five year review are set out at Section 7.5.

An early review of the Local Plan's housing trajectory will be triggered where there is evidence of a potential imbalance between jobs and homes.

Explanation:

4.5.44 The NPPF requires councils to maintain a 5 year (+5%) supply of housing land against their housing requirement as the first phase of a 15 year land trajectory. To be deliverable, sites must be available now, in a suitable location and have a realistic prospect of housing being delivered within 5 years - in particular, the site should be viable. A range of sites that are deliverable, taking into account likely build rates and constraints, will be set out on a yearly basis in the Council's Annual Housing Monitor.

4.5.45 There is currently (February 2016) sufficient housing land with planning permission to meet five years supply (+5%). The supply of committed sites will be monitored to ensure that they are reasonably deliverable within 5 years in terms of viability, demand or infrastructure phasing. The updated 5 year supply position will be published in the Council's Annual Housing Land Monitor and Authority's Monitoring Report.

4.5.46 The NPPF indicates that windfalls may be counted as part of the 5 year trajectory where there is evidence that such sites have consistently become available and will continue to come forward. Torbay treats windfalls in this context as sites of 5 or fewer units, although in practice larger windfalls may also come forward. The SHLAA (2013) indicates that an average of 130 dwellings per annum can be expected from windfall sites, based on evidence of past

windfalls and stock of known small sites that may come forward. Although the creation of conversions to small flats will be resisted, there remains a heavy emphasis on use of brownfield land and it is therefore reasonable to expect that windfalls will continue to arise. Further details are set out in the SHLAA.

4.5.47 It is important that the provision of new homes keeps pace with the likely provision of jobs and that a shortage of homes does not impede job creation or deter inward investment. On this basis, the ongoing relationship between new homes and jobs will be reviewed on a yearly basis. If evidence suggests that a shortage of homes is in danger of curtailing growth, additional land will be identified through a Local Plan review. Examples of evidence that could trigger this review include:

- 】 An increase of more than 275 net new Full Time Equivalent (FTE) jobs per annum for two consecutive years (based on Business Register and Employment Survey (BRES) data);
- 】 Economic projections showing an increase in FTE jobs of more than 275 FTE per year sustained over a five year period;
- 】 Population projections or mid year estimates indicate an increase of working age population (aged 18-65) of more than 275 people per year over a five year period;
- 】 Evidence of market signals (as set out in National Planning Practice Guidance)

indicating a high level of unmet demand for housing.

4.5.48 Where monitoring indicates a danger of a shortfall against the 5 year supply or overall trajectory, action to identify additional sites will commence in the first year of a shortfall being identified, to ensure that a rolling five year supply can be maintained, as set out in Policy SS12.

4.5.49 The Local Plan enables and expects Neighbourhood Plans to come forward and allocate land to assist meeting housing needs after the first five years – i.e. expected requirements from April 2017. The Local Plan identifies a pool of sites, based on a Strategic Housing Land Availability Assessment, which could provide a suitable selection of sites for development subject to further scrutiny through the neighbourhood planning process (see Appendix C). Neighbourhood Plans are at a draft stage of preparation for the Brixham, Paignton and Torquay areas which will cover

the entire administrative area of Torbay. It is expected that these three Neighbourhood Plans will, drawing on the pool, allocate sufficient housing land to enable delivery of the growth strategy outlined in Policy SS1 and Table 4.

4.5.50 Over the 18 year Plan period 2012/13-2029/30 the Local Plan requires the provision of about 660 dwellings in the Brixham Peninsula area, about 3,950 in Torquay and just under 4,300 in the Paignton area. In the Local Plan's five year tranches, this equates to a minimum trajectory set out for general guidance in Table 4 below. This is a minimum trajectory intended to assist Neighbourhood Forums and ensure the maintenance of a rolling 5 year supply. It does not factor in the additional 5% buffer required by the NPPF (Paragraph 47). Tables in Section 5 of the Plan (Strategic Delivery Policies) set out where housing sites are expected to arise, and sites must not be held back simply to ration supply to the trajectory in Table 4.

Table 4 Local Plan phasing and housing trajectory (rounded to nearest 5 dwellings).

Plan Years	Financial Years	Torquay	Paignton	Brixham	Torbay
1-5	2012/13-2016/17	890	960	150	2000
6-10	2017/18-2021/22	1100	1190	180	2470
11-15	2022/23-2026/27	1230	1330	210	2770
16-18	2027/28-2029/30	740	800	120	1660
	Total	3960	4280	660	8900

4.5.51 Should Neighbourhood Plans not be 'made' (or adopted) by the Council (for example an emerging Neighbourhood Plan is found to not be in general conformity with the strategic policies of the Local Plan and/or does not pass the Examination or Referendum process) then under those circumstances the Council undertakes to produce a site allocation development plan document (DPD) to allocate land to meet housing needs later in the Plan

period. Sufficient land is allocated within the Local Plan to meet housing needs during the first five years, so either Neighbourhood Plans and/or a site allocation DPD will allocate sites to contribute to providing clarity over housing supply after April 2017.

4.5.52 To deliver the second phase of the Local Plan and avoid a policy vacuum after 2017, the Council will assess the proposed

emerging Neighbourhood Plans when submitted to the Council, under Regulation 15 of The Neighbourhood Planning (General) Regulations 2012, to check that proposals endorse and implement the strategy in the Local Plan. If Neighbourhood Plans are not submitted to the Council in a form that it is in general conformity with the Local Plan by 31 March 2016, the Council will commence production of site allocation DPDs. This will be necessary in order to provide sufficient time to produce and adopt any such DPDs that may be required.

4.5.53 Where proposals are likely to result in the 5 year supply figure being exceeded,

they will be supported where they would be sustainable in terms of assisting the provision of infrastructure, or providing mixed use developments that aid economic prosperity, and do not conflict with other Policies in this Plan. Where the Council's monitoring indicates that there is danger of housing supply falling below 400 dwellings per year (i.e. the pot that is realistically deliverable within 5 years falls below 2,000 homes), the Council will seek to bring forward sites from later in the Plan period or consider other ways in which supply can be maintained. For example, this might include taking a flexible approach on the requirement for affordable housing.

4.6 Aspiration 5: Respond to climate change

Introduction

4.6.1 The planning system has a key role to play in ensuring that new development during the Plan period makes a full contribution towards helping Torbay to mitigate and adapt to climate change. Responding positively to dealing with climate change should not rely on single issue solutions, such as reducing energy consumption, managing resources and waste, or promoting smarter travel choices. It is a co-ordinated strategy of actions, which reinforce each other, carried out in a holistic manner. Furthermore, delivering environmentally considered outcomes (including taking positive action on climate change) will have multiple benefits for helping to support numerous other aspirations of this Plan. This is a central thrust of effective land use planning and is fundamental to how this Plan seeks to achieve economic, social and environmental success.

4.6.2 The implementation of a Balanced

Growth Strategy provides a range of opportunities for mitigating and adapting to climate change locally, as well as promoting social and economic change. In Torbay, the realisation of these opportunities will be facilitated through implementation of the policy framework set out in this Local Plan.

4.6.3 The Local Plan therefore embodies traditional environmental protection concerns, such as the protection of water courses and access to water supplies, seeking to avoid and manage risks to human health, buildings and ecosystems from uncontrolled development in flood risk areas, along the coast, or on unstable and contaminated land. It also embraces the need for urgent action to address the energy efficiency of homes and businesses and increase the use of low carbon and renewable technologies.

4.6.4 Management of waste and making the best use of mineral resources is also of major

importance. The Government Review of Waste Policy in England (2011) has emphasised that waste is a resource and defines the 'waste hierarchy' as prevention, preparing for re-use, recycling, other forms of recovery and disposing only as a last resort. The aim of sustainable waste management is to break the link between economic growth and waste generation and reduce the environmental impact of waste. The Council as a Waste Planning Authority (WPA) has had regard to this hierarchy in the preparation of this Local Plan and provides the policy framework to enable and facilitate the desired change in waste management methods. The hierarchy is capable of being a material consideration in determining individual planning applications.

4.6.5 As the Minerals Planning Authority (MPA), the Council is also required to provide a policy framework for mineral working, while

contributing to the achievement of sustainable development. Policies in this Plan identify how and where minerals should be safeguarded and worked, and seek to ensure that mineral sites are managed and restored in a manner that contributes positively to the environment and the well-being of our community.

4.6.6 Over the Plan period, increasing household energy prices present one of the greatest potential risks to living standards and economic prosperity. Worsening rates of fuel poverty could endanger efforts to 'close the gap' between the best and worst off areas in Torbay. The Local Plan seeks to provide a framework for improving the resilience of communities to this threat, by promoting energy security, and to make low impact, environmentally friendly lifestyles much easier to realise.

Policy SS14 Low carbon development and adaptation to climate change

Commensurate with their scale and nature, development proposals will be required to minimise carbon emissions and the use of natural resources expected to arise during the lifetime of the development.

In particular, applications for major development will be expected to clearly demonstrate how taking a low carbon approach has influenced the design strategy for the development proposed. As a key part of delivering environmental sustainability in a holistic manner, this could typically include the consideration of construction methods and materials, design, energy, water consumption, waste management, travel planning and carbon offsetting.

Development should be designed to be appropriately resilient to the local climate, including extreme weather events, commensurate with the anticipated lifetime and use of the proposal.

In doing so, the projected effects of climate change should be fully considered as part of the design, layout, form and location of a proposed scheme. In particular, development proposals will be required to make the most of opportunities to provide resilience to climate change through:

1. Limiting the potential for summertime overheating within buildings as well as the surrounding external environment;
2. Conserving water supplies and minimising the risk and impact of flooding;
3. Avoiding responses to climate impacts which lead to increases in energy use and greenhouse gas emissions.

The Local Planning Authority will consider whether or not the proposal is resilient to climate change, in consultation with the Environment Agency, taking account of design, layout, form, location and the increase in flood risk to other properties and people.

Explanation:

4.6.7 Torbay has a small carbon footprint and is committed to its further reduction. This is set out in Torbay's Energy and Climate Change Strategy (2014), which translates locally the legally binding national targets to reduce carbon emissions by 34% by 2020, 50% by 2025 and 80% by 2050, on 1990 emission levels.

4.6.8 The NPPF recognises the importance of the planning system to help deliver radical reductions in carbon emissions. In order to achieve this, new development must make the most of opportunities to limit carbon emissions.

4.6.9 The South West Energy and Environment Group (SWEEG) has carried out research in the south west region which shows that local authorities have a crucial role to play in order for national greenhouse gas emissions reduction targets to be achieved, particularly through the influence of development via the planning system.

4.6.10 New development proposals should positively aim to minimise their associated carbon footprint both during construction and in use. This will help Torbay play its global role in limiting climate change. However, in

doing so, the opportunities to also locally promote energy security and reduce fuel poverty (see Policy ES1), healthy lifestyles (Policy SC1), improve green infrastructure (Policy SS9) and biodiversity (Policy NC1), alleviate air pollution (Policy TA1), reduce water scarcity (Policy ER2), ease congestion (Policy TA2) and support local economic development (Policy SS4) present one of the greatest opportunities in this Plan period to improve life in Torbay.

4.6.11 Buildings should be re-used where possible and be designed to allow later conversion/adaptation to save embodied energy which would otherwise be lost through demolition. It is accepted there may be a trade off between energy efficiency and protection of the historic environment, subject to Policies SS10 and HE1.

4.6.12 Carbon offsetting may be appropriate for development proposals with an exceptionally high carbon footprint/intensity, including those as identified through the Environmental Impact Assessment process.

4.6.13 The effects of climate change and the implications for Torbay have been assessed as part of the Council's Climate Change Strategy and Local Climate Impacts Profile

(LCLIP). These documents illustrate the magnitude of change in weather patterns and sea level rise that can be expected (using UK Climate Projections data) as well as indicating the associated challenges and opportunities that this presents for Torbay. Climate change is projected to cause warmer, wetter winters; hotter, drier summers; more intense storms; and rising sea levels.

4.6.14 New homes and commercial properties should be capable of adaptation, to take account of predicted changes in weather patterns and possible lifestyle changes.

4.6.15 New development should be appropriately resilient to the impact of storm events including the effects of driving rain, high winds and stormwater flooding. Policy ER4 highlights the need for ground stability to be taken into account with regards to new development. The implications of increasing storm events and higher levels of winter time groundwater on ground stability should also be considered.

4.6.16 As the Building Regulations move towards zero carbon standards, higher degrees of thermal insulation and air tightness have the potential to worsen the case for overheating of properties. Therefore the design of new buildings will need to consider complimentary measures which limit the propensity of buildings to overheat by optimising orientation, shading and layout. As well as safeguarding occupant comfort, this is also important in the context of reducing carbon emissions in Torbay, as new

buildings should be designed in such a way that reduces or eliminates the requirement for mechanical ventilation to compensate for overheating.

4.6.17 The provision of green infrastructure can play an important part in helping to build resilience into development proposals. With regards to the aims of this Policy, vegetative cover can be provided in the form of landscaped spaces, tree cover, green roofs and walls, which can be used to lessen overheating (through shading), reduce storm water run-off, reduce external ambient temperatures and improve biodiversity (see Policy NC1). It can also boost Torbay's 'green' economy.

4.6.18 The use of recognised sustainable construction assessment standards (such as the Code for Sustainable Homes, BREEAM, Passivhaus, Leadership in Energy and Environmental Design) are not specifically required to be carried out as part of development proposals. However, if development proposals are accompanied by an assessment against such a standard, this will be looked upon favourably by the local authority. As a minimum, applications should address how the proposal meets the requirements of this Policy through the design and access statement or a separate document.



5. STRATEGIC DELIVERY AREAS – A POLICY FRAMEWORK FOR NEIGHBOURHOOD PLANS

5. STRATEGIC DELIVERY AREAS - A POLICY FRAMEWORK FOR NEIGHBOURHOOD PLANS

5.1 BACKGROUND AND CONTEXT

5.1.1 The Torbay Local Plan has been developed in parallel with Neighbourhood Plans for Torquay, Paignton and Brixham Peninsula. The Local Plan, as the overarching strategy for the Bay, provides the framework within (or beyond) which Neighbourhood Plans add valuable detail on local outcomes, projects and sites. Policy SS2 and the area Policies below set out the broad location of development. This ‘dovetail’ approach is

pioneering, forming an important element of Torbay’s Neighbourhood Plan Frontrunner status, and ambitious. So, as the Local Plan has been heavily informed by Neighbourhood Planning and vice versa, there is much agreement on the key areas of change in the Bay, such as town centres, Torquay Gateway and West Paignton, and on those areas that need protection, such as the South Devon AONB and Yalberton Valley. Torbay will in



due course have three Neighbourhood Plans in place alongside the Local Plan, providing a very clear, positive statutory framework for investment and development in the Bay.

5.1.2 Emerging Neighbourhood Plans are already identifying sites and projects for future development. One of the roles of Neighbourhood Plans is to identify sites for employment and new homes to come forward over the medium to long term. Sites

suggested by Neighbourhood Forums, as part of the SHLAA refresh, are included in the pool of sites to meet demand for new homes (see Appendix C). Neighbourhood Plans will add detail to the way in which these sites might come forward. Similarly, projects being identified by Neighbourhood Forums – in town centres for example – add valuable detail to the Local Plan and many are likely to come forward in the next few years.

5.2 Torquay

5.2.1 Torquay Strategic Policy Area

Policy SDT1 Torquay

Torquay is and will remain the primary commercial centre of Torbay. Harbourside and town centre sites will be developed for appropriate mixed uses, and the re-use of space within buildings for residential accommodation will be supported. The urban areas will be improved and renewed, with strong support for family homes.

Regeneration, comprehensive redevelopment and large scale investment will ensure that the town centre and Torquay Harbour areas evolve as the principal town centre and the centrepiece of a modern, prosperous and sustainable Torbay, whilst conserving or enhancing the historic and natural environment.

The Local Plan and Neighbourhood Plans will bring forward new housing, employment, green infrastructure and leisure provision in the Torquay Gateway area to the north west of Torquay. High quality exemplar developments will be sought, appropriate to their gateway setting, which respect and enhance the natural and built environment. Priority species such as Cirl Buntings and Greater Horseshoe Bats will be safeguarded. All development will be required to minimise or reduce surface water draining into combined sewers, in accordance with Policy ER2 in order to safeguard the Marine Candidate Special Area of Conservation.

The strategic green gap between Torquay and Kingskerswell will be maintained.

Torquay will deliver a minimum of 37,200 square metres (net) of employment floorspace and around 3,955 new homes over the Plan period. The sources and timing of delivery are set out in Tables 5 and 6 below and Policies SDT2 to SDT4. Policy W5 is also relevant.

Explanation:

5.2.1.1 Torquay is the largest town in Torbay. The economy is centred on tourism as well as a strong retail sector and growing commercial business market. A high class environment, focused on green infrastructure and an outstanding coastline makes the town attractive to visitors and investors. However, there are also communities with significant levels of deprivation and the economy has been traditionally hampered by infrastructure constraints. Torquay needs growth and development (including new homes and jobs) to deliver the social and economic changes needed to arrest decline whilst also protecting and enhancing its strong built and natural environmental assets. The reef off of Torquay is an important part of the Marine SAC, whilst the combined sewers elsewhere in Torbay are nearing capacity. In order to avoid harm from combined sewer outfalls, development should avoid additional surface water run-off into combined sewers in accordance with the hierarchy set out in Policy ER2.

5.2.1.2 In order to rise to the challenges of the 21st Century and to improve Torbay's commercial and retail position, it is proposed that Torquay retains its role as the core shopping area. However, Torquay also needs to develop as a multi-functional centre, including new commercial and residential floorspace.

5.2.1.3 The Council identifies a minimum need in Torquay of 17,000 square metres of Use Class B space and 20,200 square metres of non-Use Class B space. This Plan identifies a range of spaces for employment which could provide a potential of up to 81,600 square metres (B and non-B) in Torquay. This is in excess of the 37,200 square metres required, but provides flexibility, range and choice, recognising that delivering the full potential of employment space may prove difficult during the Plan

period due to site specific constraints. Spaceless growth and the improvement of the efficiency of existing employment sites (such as Torbay Hospital) will also be facilitated through this Plan.

5.2.1.4 The town centre and harbour area (SDT2) will develop to build upon its strengths as a tourism, retail and leisure destination. Regeneration will help deliver a town centre which thrives because it is multi-functional and provides an excellent choice of services, opportunities and experiences which are irresistible to residents and visitors. Regeneration proposals should maintain or improve provision of public open space.

5.2.1.5 The Torquay Gateway (Policy SDT3) is a key area of growth for new homes and jobs, both of which are fundamental to the social and economic success of Torquay. Key infrastructure will be delivered in the area to support growth and deliver high quality designed, exemplary developments. These will deliver place-making opportunities to bring demonstrable benefits for new and existing communities.

5.2.1.6 Mixed use development is proposed in the Scotts Bridge/ Barton and Edginswell Valley areas to provide housing, employment and leisure. Improved road, rail, cycling and walking links to Torquay and Newton Abbot, as well as high quality green infrastructure, will be sought as an essential element of development.

5.2.1.7 The recreation and tourism role of Babbacombe and St.Marychurch (Policy SDT4) will be enhanced with sensitive developments that respect and strengthen the coastal setting.

5.2.1.8 It is estimated that, subject to an improvement in market delivery, existing planning permissions (for example at Scotts

Meadow, Hollicombe and Hatchcombe), SHLAA sites and windfall sites will provide land for around 1,110 new homes over the first 5 years of the Plan within Torquay.

5.2.1.9 Delivery will be supported by an integrated approach combined through this Plan, neighbourhood planning, masterplanning and partnership-working.

Table 5 SDT1: Source of new employment floorspace within Torquay (and indicative broad timescale by source)

Policy / site name	Commitments (mainly years 1-5 and 6-10 of Plan)	Deliverable urban / Neighbourhood Plan sites (mainly years 6-10 of Plan)	Future Growth Area (years 11-15 and 16-18 of Plan)	Notes and key infrastructure requirements
SDT2 Torquay Town Centre & Harbour	Spaceless growth; mixed use developments incorporating leisure/ employment	Town Hall Car Park, Lower Union Lane / Union Street. Mixed use developments incorporating leisure/ employment, etc. Scope for additional retail floorspace but emphasis on improving quality of provision.		Emphasis on mixed use regeneration of key sites, identified through neighbourhood planning and masterplanning.
SDT3 Torquay Gateway	11,200 sq m at Edginswell Business Park (2.8ha)	Torbay Hospital, Woodlands Trading Estate. 32800 sq m at Brown's Bridge (8.2ha)	37,600 sq m at Edginswell Future Growth Area (9.4ha)	Significant infrastructure required at Brown's Bridge and Edginswell to unlock development.
SDT4 Babbacombe & St. Marychurch				Core Tourism Investment Area, potential for growth in tourism employment which is likely to be spaceless.
SDT1 Torquay Totals	11,200 sq m	32,800 sq m	37,600 sq m	

Note: See also Appendix C (Table 27) for details of possible Neighbourhood Plan employment sites

Table 6 SDT1: Estimated source of housing in Torquay

Estimated delivery period (years)	1-5	6-10	11-15	16-18		
Policy / site name	Commitments and other deliverable sites	Commitments (continued delivery), Neighbourhood Plan sites and Future Growth Area			Total	Notes and key infrastructure requirements
SDT2 Torquay Town Centre & Harbour	224	327	191	82	824	<p>Flood alleviation works in the town centre in addition to repairs at Meadfoot and Livermead Sea Wall, and Haldon and Princess Piers.</p> <p>+50 Town Hall car park (only possible as part of a mixed-use regeneration of site if preferred scheme of a large supermarket is not delivered here), +65 Temperance Street, +20 Lower Union Lane, +20 Terrace car park (155 in total, divided equally across years 6-20).</p> <p>Subject to retention of sufficient car parking.</p>
SDT3 Torquay Gateway	112	224	200	210	746	<p>Buckland Sewage Treatment works may require upgrading.</p> <p>Public transport improvements needed.</p> <p>Open space and leisure schemes important as part of place-making and green infrastructure.</p>
SDT4 Babbacombe & St. Marychurch	128	127			255	<p>Consider impact on infrastructure in predominantly built-up area.</p>

SHLAA sites elsewhere within SDT1	447	205	100	336	1,088	Subject to annual monitoring
Windfalls	197	325	325	193	1,040	Subject to annual monitoring
Total Torquay	1108	1,208	816	821	3,953	

5.2.2 Torquay Town Centre and Harbour

Policy SDT2 Torquay Town Centre and Harbour

Torquay Town Centre will develop as the largest retail and leisure centre of the Bay and become the key sub-regional retail and leisure destination. This will help provide an improved, vibrant and more enjoyable shopping and leisure environment with better high street retail, eating and leisure facilities. Furthermore, regeneration of key sites will help strengthen its role as a commercial and social centre for residents and visitors, whilst conserving or enhancing the area's historic character and environmental value.

Developments within Torquay Town Centre and Harbour areas should comprise a mix of suitable town centre uses and help to increase substantially the numbers of town centre homes during the Plan period.

Any proposals that may lead to likely significant effects on sites protected under European legislation will only be permitted where no adverse effect on the integrity of the site can be shown.

Explanation:

5.2.2.1 Consistent with Policy SDT1, Torquay Town Centre and Harbour will be a focus for regeneration which supports its primary retail and commercial role. This means high quality development which improves the public realm and provides an improved, multifunctional Town Centre, including higher levels of residential development. The Town Centre will have a more focused shopping experience with a distinct high street retail offer to complement new housing and the development of a leisure-based retail offer at Torquay Harbour. This will provide a 'point of difference' to complement the rest of Torquay Town Centre,

connected by Fleet Street/Fleet Walk, with a wide range of other town centre uses, making Torquay the complete package for residents and visitors. The lower part of the town is within Torquay Harbour Conservation Area and development will be expected to complement the area's historic character.

5.2.2.2 A number of key sites offer considerable opportunities for regeneration many of which will be further identified through neighbourhood planning and masterplanning processes.

5.2.2.3 There are a number of major development opportunities within the Town

Centre which could provide comprehensive renewal through expanding the quality of the retail offer, providing a wider mix of uses and delivering improved public spaces. This includes the southern side of Union Street (Nos. 50-114), parts of Lower Union Street, the Telephone Exchange and Temperance Street. These sites lie at the heart of the town centre and offer the largest area to provide an increase in provision in the town, consistent with its role as Torquay’s primary commercial centre. This area’s potential to provide attractive town centre living and as a retail and leisure destination is huge. Details are set out in Tables 7 and 8.

5.2.2.4 Other smaller sites in the Town Centre are needed to address identified needs, including larger format retail units which the town centre currently lacks. There are a number of buildings in the town centre which are visually unattractive, and in some cases underutilised, where redevelopment could greatly enhance the street scene. There are opportunities to create and enhance areas of public open space where people can visit, meet and relax. Provision of other green infrastructure assets such as street trees will provide cooling, shade and cleaner air.

Table 7 SDT2: Torquay Town Centre and Harbour - Key sites for employment

Policy / site name	Type of site / type of employment	Deliverable / developable
Lower Union Street area	Large area of town centre, comprising the southern side of Union Street, Temperance Street and Lower Union Street. To be brought forward for mixed-use including retail, office, leisure and residential. Other areas to be defined through masterplanning and Torquay Neighbourhood Plan.	Needs to be brought forward through masterplanning and private/public joint venture approaches to secure development.
Town Hall Car Park	Large surface level car park to rear of Torquay Town Hall. Potential mixed use development site with opportunities to include office, leisure, retail and residential uses.	Needs to be brought forward through masterplanning and private/public joint venture approaches to secure development.



Table 8 SDT2: Torquay Town Centre and Harbour - Key sites for housing (excluding windfalls - see Table 6)

Estimated delivery period (years)	1-5	6-10	11-15	16-18		
Policy / site name	Commitments and other deliverable sites	Commitments (continued delivery), Neighbourhood Plan sites and Future Growth Area			Total	Notes and key infrastructure requirements
Torre Marine	75				75	
SHLAA deliverable urban sites		275	139	30	444	
Other sites	149	52	52	52	305	+50 Town Hall car park, +65 Temperance Street, +20 Lower Union Lane, +20 Terrace car park. +155 in total divided equally across years 6-20. All car parks subject to retention of sufficient car parking.
Total SDT2	224	327	191	82	824	

5.2.3 Torquay Gateway

Policy SDT3 Torquay Gateway

High quality employment space, new homes, leisure and local retail facilities to serve the immediate area will be delivered in the Torquay Gateway to raise the economic prosperity of Torbay, complement town centre regeneration and help fund essential transport improvements serving the Bay.

A high quality of design will be required to enhance the built and natural environment, strengthen the sense of arrival into Torbay, and protect the green gap between Torbay and Kingskerswell. Design should include the provision of high quality green infrastructure assets, maximising cross boundary linkages where appropriate.

Off-site biodiversity offsetting will be required where on-site avoidance, mitigation and compensation does not provide a net gain in biodiversity. Any proposals that may lead to likely significant effects on sites protected under European legislation, including those relating to Greater Horseshoe Bats and Cirl Buntings, will only be permitted where no adverse effect on the integrity of the site can be shown.

Any detailed proposals for development in the area should first be informed by appropriate Greater Horseshoe Bat and Cirl Bunting surveys undertaken during a suitable time of year. Any biodiversity impact from development should be offset. Particular attention should be given to loss of grassland (foraging) habitat and internal hedgerows. A buffer of darkened hedgerow should be provided and maintained, particularly along the western buffer, in accordance with Policy NC1.

The provision of new employment will be a focus for new development within the Torquay Gateway, with the delivery of quality office space being particularly expanded at Edginswell. Redevelopment and refurbishment of existing employment estates, to provide modern employment space, will be supported.

Explanation:

5.2.3.1 Torquay Gateway is an important area of growth for Torquay. It extends in an arc from Gallows Gate to Edginswell Village and on to Lowes Bridge and Torre Station. In addition to providing new homes and jobs, there will be opportunities provided through strategic developments to improve connectivity for pedestrians, cyclists, public transport and motor vehicles within the area and to Torquay Town Centre. High quality design that reflects the strategic context of closely situated but distinct development sites will be important to the area's functional success. This is particularly important considering the opportunities to provide place-making improvements. Further details are set out in Tables 9 and 10.

5.2.3.2 The South Devon Highway is a key piece of strategic infrastructure to support both short-term (including existing sites with planning permission) and long-term growth in this part of Torquay as well as the rest of Torbay. A range of sites are identified to support future growth. In particular, the Edginswell Future

Growth Area has been identified for a large mixed-use development which could deliver around 550 homes and 37,600 square metres of employment space. The site is developable but has been masterplanned to show how the necessary infrastructure can be delivered to unlock this development. The Torquay Gateway Masterplan was adopted as a Supplementary Planning Document in December 2015. An outstanding level of design will be needed due to the scale and location of the site. In particular the setting of Edginswell Hall and Village will be conserved or enhanced. The effective provision of green infrastructure will form part of the development, in order to improve the accessibility of greenspace in the area, improve connections between communities, manage flood risk (particularly minimising run-off into Aller Brook) and to maintain and enhance the strategic green gap between Torquay and Kingskerswell.

Table 9 SDT3: Torquay Gateway - Key sites for employment

Policy / site name	Type of site / type of employment	Area	Deliverable / developable
Edginswell Business Park	Use Classes B1/B2/B8.	2.8ha, delivering 11,200 sq m	Deliverable - has planning permission and is partly built out.
Brown's Bridge	Part of site developable for employment which could be Use Classes B1/B2/B8 or leisure uses.	8.2ha, potentially delivering 32,800 sq m	Up to 50% of the site (accessed from Browns Bridge Road to the north) is suitable for the delivery of a wide range of employment uses. Significant investment required to deliver due to site constraints. Could be suitable for non-Use Class B employment space, linked to delivery of sports facilities/ pitches on-site. The remaining area of the site will be developed for sports pitches, recreation and a transport hub.
Torbay Hospital	Non-Use Class B, predominantly in the healthcare sector.		The overall emphasis for the site will be to concentrate on maintaining the long term healthcare needs of South Devon. Opportunities for new health-related high-tech employment and training, as well as scope to make more effective use of the site.
Woodlands Trading Estate	Use Classes B1/B2/B8.		Refurbishment and environmental improvements to existing employment area. Qualitative improvements to upgrade existing provision and make more effective use of Estate.
Edginswell Future Growth Area	Mixed use development, of which 25% of the site may be suitable for employment provision.	9.4ha, potentially delivering 37,600 sq m	Large greenfield site requires range of infrastructure provision as part of site works, including green infrastructure and drainage. Needs to be masterplanned to ensure deliverability of site and infrastructure.

Table 10 SDT3: Torquay Gateway - Key sites for housing (excluding windfalls - see Table 6)

Estimated delivery period (years)	1-5	6-10	11-15	16-18		
Policy / site name	Commitments and other deliverable sites	Commitments (continued delivery), Neighbourhood Plan sites and Future Growth Area			Total	Notes and key infrastructure requirements
Scotts Meadow	90	65			155	Planning permission in place
SS2.1 Edginswell Future Growth Area	N/A	140	200	210	550	As part of a strategic mixed use development to be brought forward through masterplanning. This should make allowance for the high pressure gas pipeline north of the Future Growth Area, in consultation with National Grid.
SHLAA deliverable urban sites		19			19	
Other sites of 6+	22				22	
Total SDT3	112	224	200	210	746	



5.2.4 Babbacombe and St. Marychurch

Policy SDT4 Babbacombe and St. Marychurch

The area of Babbacombe and St. Marychurch will be conserved and enhanced to maintain and improve its tourism offer, and to augment the role of the district and local centres, whilst protecting its environment. Developments that promote an integrated, sustainable mix of uses that enhance these functions will be supported. Green infrastructure will provide improved access from urban to coastline and countryside areas, as well as opportunities for recreation and local food production.

Any proposals that may lead to likely significant effects on sites protected under European legislation will only be permitted where no adverse effect on the integrity of the site can be shown.

Explanation:

5.2.4.1 The environment and landscape of Babbacombe is of great local importance, particularly that which closely relates to the coastline. Opportunities to improve recreation provision and tourism opportunities, capitalising on the Bay's Urban Geopark status, will be encouraged. This includes

improving the quality of, and access to, valued green infrastructure within the area.

5.2.4.2 Major residential developments will be limited to suitable brownfield sites that may arise through the Plan period, or are brought forward through the neighbourhood planning process.

5.3 PAIGNTON

5.3.1 Paignton Strategic Policy Area

Policy SDP1 Paignton

Paignton will be rejuvenated through high quality mixed use development of key town centre, harbour and waterfront sites. Improvement of the built environment will re-capture the historic character of the old town and appeal of the 19th Century 'Garden Suburb' to the east. Green infrastructure will underpin both recreational and flood-resilience measures.

The role of Preston District Centre and seafront will be enhanced for tourism, leisure and retail purposes. Appropriate development will be supported, particularly in the vicinity of Preston Down Road, whilst valued open space and countryside is protected and enhanced.

The role of Goodrington as a leisure and employment hub will be promoted and enhanced, whilst protecting the area's environmental assets.

Development sites to the west of Paignton will be delivered through neighbourhood planning and masterplanning to provide employment and family housing opportunities. This will be underpinned by enhanced transport infrastructure along the Western Corridor and A385 Totnes Road and will take account of environmental sensitivity through a green infrastructure led design approach. This will help to sustain Paignton's urban function, and in particular Paignton Town Centre as a destination in its own right. Landscaping, biodiversity and flood risk management measures will be needed to minimise the environmental impact of development, particularly cross-boundary impacts. Priority species such as Greater Horseshoe Bats and Cirl Buntings and their habitats will be safeguarded, and any impacts mitigated.

Paignton will provide a minimum of 30,100 square metres (net) of employment floor space and around 4,290 new homes over the Plan period. The expected pace and sequence of delivery are set out in Tables 11 and 12 below and Policies SDP2 to SDP4. Policy W5 is also relevant.

Explanation:

5.3.1.1 Paignton is the second largest town in Torbay, with a medieval core, 19th Century 'Garden Suburb' east of the railway, and significant 20th Century residential suburbs. It includes the District Centre of Preston.

5.3.1.2 There will be significant regeneration of Paignton Town Centre, Paignton Harbour and waterfront areas to enhance its role as a tourism destination and provide an improved retail function. Rejuvenation of the town, including its historic core, will be achieved through masterplanning, major investment and new development. This will help the town reclaim its attractiveness as a Garden Suburb attached to an historic medieval settlement. Improved links within the Town Centre and to other parts of the Bay will be encouraged. Policy SDP2 deals with Paignton Town Centre in more detail. Regard should be had to the conservation or enhancement of the built, natural and historic environment, particularly within conservation areas, in accordance with other Policies in this Plan.

5.3.1.3 The Council identifies a minimum need of 30,100 square metres of employment space, comprising 16,300 square metres of Use Class B space and 13,800 square metres of non-Use Class B space. This Plan identifies a range of spaces for employment which could provide in excess of 83,000 square metres (B and non-B) in Paignton. This is in excess of 30,100 square metres required, but provides flexibility, range and choice, recognising that delivering the full potential of employment space may prove difficult during the Plan period due to site specific constraints.

5.3.1.4 New mixed use developments on a group of sites to the north and west of Paignton will be promoted to provide a range of residential, employment, recreation and leisure facilities (see Policy SDP3). These will require a high quality of design and appropriate landscaping to protect and enhance the rural backdrop to the area, and should include the delivery of green infrastructure assets which provide multiple functions and benefits. A new Country Park at Great Parks and a Countryside Access and Enhancement Scheme at White

Rock are proposed to provide amenity, recreation and biodiversity benefits and sustainable transport links to the wider network, as set out in the Torbay Green Infrastructure Delivery Plan (2011). On-line improvements and provision of walking, cycling and public transport facilities will be required to minimise congestion on the Western Corridor.

5.3.1.5 Paignton has a number of non-strategic development opportunities identified in the Strategic Housing Land Availability Assessment (2013). Around an additional

900 dwellings are expected to arise on small developments (of less than 6 dwellings) over the Plan period. One source of these windfalls will be the reuse of redundant / under-utilised buildings, such as small hotels and commercial buildings. Greater Horseshoe Bat mitigation measures for Policies SDP3 and SDP4 Strategic Delivery Areas should be implemented according to the recommendations of the HRA Site Appraisal Report of Torbay Local Plan Strategic Delivery Areas (Proposed Submission Plan) 2014.

Table 11 SDP1: Source of employment floorspace within Paignton (and indicative broad timescale by source)

Policy / site name	Commitments (mainly years 1-5 and 6-10 of Plan)	Deliverable urban / Neighbourhood Plan sites (mainly years 6-10 of Plan)	Future Growth Areas (years 11-15 and 16-18 of Plan)	Notes and key infrastructure requirements
SDP2 Paignton Town Centre and seafront		Mixed use developments incorporating leisure/ employment etc. Scope for additional floorspace, but also emphasis on improving quality of provision.		Investment in sea wall or similar flooding infrastructure needed to unlock development.
SDP3 Paignton North and Western Area	White Rock 8.8ha (36,800 sq m) Claylands 6.8ha (27,000 sq m)	Yalberton (Jackson Land) 3.7ha (14,800 sq m) Devonshire Park (former Nortel Site) 1ha (4,000sq m)	Future Growth Area at Collaton St Mary.	Investment in Western Corridor to serve Growth Areas. Highway, drainage and landscaping infrastructure needed within Future Growth Area.
SDP1 Paignton totals	15.6ha (63,800 sq m)	4.7ha (18,800 sq m)	83,000 sq m (excluding Collaton St Mary)	

Note: See also Appendix C (Table 27) for details of possible Neighbourhood Plan employment sites

Table 12 SDP1: Estimated source of housing within Paignton

Estimated delivery period (years)	1-5	6-10	11-15	16-18		
Policy / site name	Commitments and other deliverable sites	Commitments (continued delivery), Neighbourhood Plan sites and Future Growth Area			Total	Notes and key infrastructure requirements
SDP2 Paignton Town Centre and seafront	68	165	43	314	590	Investment in flood defence/resilience infrastructure +60 Victoria Square, +30 Station Lane / Great Western Car Park, +40 Paignton Harbour (130 total) Subject to sufficient car parking being retained.
SDP3 Paignton North and Western Area	433	1,022	500	294	2,249	Improvements to Western Corridor. Longer term improvement to A385 Totnes Road. Significant investment in drainage and landscaping. 376 fewer dwellings in Collaton St Mary Masterplan than shown in the Proposed Submission Local Plan.
SHLAA sites elsewhere within SDP1	358	150		142	650	Subject to annual monitoring.
Windfalls	121	260	260	156	797	Subject to annual monitoring.
Total Paignton	980	1,597	803	906	4,286	

5.3.2 Paignton Town Centre and Seafront

Policy SDP2 Paignton Town Centre and Seafront

Paignton Town Centre will be regenerated in order to bring about improvements to its economy, built and natural environment. The connectivity from the Town Centre to the seafront, Paignton Harbour and surrounding parks will be restored and improved. New developments will complement the area's historic character, rejuvenating Paignton as a popular tourist destination, a modern Town Centre to support the needs of the local residents and tourists, and a garden suburb with strong family appeal.

Development will need to be resilient to the effects of sea level rise and contribute towards the provision of flood defences. Any proposals that may lead to likely significant effects on sites protected under European legislation will only be permitted where no adverse effect on the integrity of the site can be shown.

Developments within Paignton Town Centre, Harbour and seafront will comprise a mix of suitable uses including tourism, leisure, retail and residential, to deliver the indicative target areas set out Tables 13 and 14 below.

Explanation:

5.3.2.1 Paignton Town Centre will remain a focus for commercial activity and a major tourism attraction within Torbay. The Centre will be regenerated to strengthen and update its offer for businesses, tourists and residents. This will incorporate improved public space to help re-establish the formerly distinctive grid pattern of Paignton, linked to the regeneration of major development sites, connecting the medieval town with the Victorian garden suburb.

5.3.2.2 Better use of the Town Centre and historic buildings (especially the Torbay Picture House) will be encouraged to enhance the area's tourism and commercial role. Policy TO1 deals with Core Tourism Investment Areas. Policies TC1 and TC4 deal with town centre retail, including primary and secondary shopping areas.

5.3.2.3 It is critical that flood defence works are put in place, probably in the form of a

new sea wall and coastal defence to alleviate the impact of climate change, wave action and upstream flooding. Notwithstanding the flooding issue, Paignton Town Centre is a highly sustainable location for development within an established town and well-served by public transport. It is therefore sequentially preferable to other out-of-town locations as a focus for development. In some instances an exceptions test will be required to support town centre development (see NPPF Paragraphs 99 to 105, and Section 07 of the NPPG) and all development must meet the requirements of site flood risk assessments. Development will need to avoid flood-vulnerable uses in high risk areas; in particular, basement flats will not be permitted in areas at risk of flooding.

5.3.2.4 Policies TC1 to TC4 set out a 'town centres first' approach for retail development in Torbay, and undertake to improve the vitality and viability of Paignton

Town Centre through masterplanning, which will identify retail, employment and residential opportunities. Paignton Town Centre has a significant retail role within Torbay, which should be maintained and enhanced. This does not, however, preclude allowing the redevelopment of more marginal parts of the retail area for other uses, particularly employment uses that assist the economic prosperity of the area.

5.3.2.5 There are several significant sites in Paignton Town Centre that need to be brought forward for development through a combination of the Paignton Neighbourhood Plan and masterplanning. The Crossways Shopping Centre is a 1960s parade that is in need of refurbishment. The SHLAA suggests an indicative figure of 150 apartments on this site. Commercial uses should be provided on the ground floor, with a target net increase in commercial floorspace. There may be scope to achieve a wider redevelopment of adjoining areas on Dendy Road and Torquay Road. Site assembly issues and the need for the apartment market to recover suggest that the site will come

forward in a later phase of the Plan, although this would not preclude earlier delivery.

5.3.2.6 The former Woolworths/Dellers Hotel building on the corner of Hyde Road/ Torbay Road offers scope for redevelopment for residential and commercial use, preferably retaining retail on the ground floor. The historic façade of the former hotel should be retained.

5.3.2.7 Victoria Square and the adjoining car park are in pressing need of refurbishment or redevelopment. The SHLAA indicates that about 60 apartments could be provided as part of a mixed use development. Parking will need to be retained and appropriate provision made for the existing retail store. Due to flooding issues, residential use of the ground floor would not be appropriate and the site should incorporate flood defence measures, such as sustainable urban drainage, as far as are practicable. The community has expressed a strong desire to see the open space at Victoria Park protected.



5.3.2.8 Station Lane contains a new library and information/community centre, and there is scope to develop to the rear of the library, with a mix of commercial buildings, possibly with residential above. Development in this location should ideally integrate with transport improvements at the train and bus stations to help improve a sense of arrival and make better use of public open space.

5.3.2.9 Redevelopment proposals for Paignton Harbour are included within the

Tor Bay Harbour Authority Port Masterplan (2013) and, coupled with the Paignton Town Centre Masterplan, will enhance its role and character for water-based businesses and activities, with associated maritime and tourism facilities, retaining the best buildings and facilitating redevelopment of other sites. Clearly, uses that require a waterside location will be preferred over those that do not need such a location, although there is scope for residential or similar uses on upper floors.

Table 13 SDP2: Paignton Town Centre and Waterside - Key sites for employment

Policy / site name	Type of site / type of employment	Deliverable / developable
Crossways Shopping Centre	Mixed use development of residential, commercial/leisure.	Developable. Comprehensive redevelopment scheme required.
Victoria Square Multi-Storey Car Park	Mixed use development. Opportunity for a wide range of leisure, commercial use, possibly with retail on upper floors.	Developable (subject to flood risk exceptions test). Site-sequential benefits over 'out-of-centre' and nearby greenfield sites (including Victoria Park). Development needs to make alternative provision for existing users and to accommodate flood protection and resilience measures. Need to retain/improve parking experience.
Corner of Hyde Road/Torbay Road	Mixed use redevelopment	Developable. Flood prevention measures required.
Paignton Harbour	Mixed use development e.g. watersports facilities, leisure uses.	Uses that require a waterside location will be supported
Station Lane / Great Western Car Park	Mix of residential and commercial development, whilst retaining parking.	Sequential test and flood risk exceptions test required. Flood prevention measures required.

Table 14 SDP2: Paignton Town Centre and Seafrost - Key sites for housing (excluding windfalls - see Table 12)

Estimated delivery period (years)	1-5	6-10	11-15	16-18		
Policy / site name	Commitments and other deliverable sites	Commitments (continued delivery), Neighbourhood Plan sites and Future Growth Area			Total	Notes and key infrastructure requirements
Courtland Road	45				45	Committed site
Crossways				150	150	Mixed use development
Hyde Rd/ Torbay Rd				50	50	Mixed use development
Queens Park				50	50	Flood protection infrastructure.
SHLAA Deliverable Urban		122			122	Masterplanning of town centre
SHLAA Constrained Urban		43	43	64	150	Subject to Policy TO1 relating to Core Tourism Investment Areas, +60 Victoria Square, +30 Station Lane, +40 Paignton Harbour (130 total). Subject to sufficient car parking being retained in the Town Centre.
Non-identified sites of 6+	23				23	Seaford Hotel and Seaford Sands Hotel, committed sites
Total SDP2	68	165	43	314	590	

5.3.3 Paignton North and Western Area

Policy SDP3 Paignton North and Western Area

Mixed use developments will be brought forward in identified locations to the north and west of Paignton to provide a range of housing, especially family housing, employment, local recreation and local retail facilities.

Policy SDP3 comprises five broad areas, namely Preston Down Road (SDP3.1), Great Parks (SDP3.2), Totnes Road (SDP3.3), Brixham Road (SDP3.4) and White Rock (SDP3.5).

These locations should provide a balance of jobs and homes, whilst facilitating the provision of transport and other infrastructure and safeguarding the area's biodiversity and landscape character. Development should be accompanied by upgraded infrastructure, including along the Western Corridor and A385 Totnes Road, and improvements to sewerage capacity.

Development in these locations should provide resilience to the effects of climate change, particularly through the provision of green infrastructure, and adhere to planning guidance on Greater Horseshoe Bats within the South Hams SAC, as well as other species such as Cirl Buntings, in accordance with Policy NC1. On and off-site biodiversity offsetting will be required to provide a net gain in biodiversity. Any proposals that may lead to likely significant effects on sites protected under European legislation will only be permitted where no adverse effect on the integrity of the site can be shown.

New development should provide space for, and where appropriate contributions to, economic and community infrastructure. Greater Horseshoe Bat mitigation objectives for Great Parks, Collaton St. Mary Future Growth Area, Yalberton Industrial Estate, Claylands and Brixham Road, should be implemented as recommended by the HRA Site Appraisal Report of Torbay Local Plan Strategic Delivery Areas (Proposed Submission Plan) 2014.

Explanation:

5.3.3.1 The west of Paignton offers the largest area of land for expansion within Torbay, although there are infrastructure requirements that need to be met prior to or in parallel with major development. A significant amount of growth is already underway at Yalberton and White Rock. Further development is committed at Great Parks. This is shown as a grey (committed) site on the Policies Map. However, in the event of the development taking longer to build out than anticipated, it will be treated

as a Future Growth Area (see Policy SS2 and below). These commitments, along with urban sites, are expected to provide Paignton's housing supply for at least 10 years from the Plan's adoption. The Council-owned former waste site at Claylands is being promoted for development by the Torbay Development Agency and expected to deliver around 6.8 hectares of employment land early in the Plan period.

5.3.3.2 Critically, the already committed development is dependent upon the

improvement of the A3022 Western Corridor. Some improvement works at Yalberton have already taken place, for example at Tweenaway Cross, and further funding (of around £7.5 million) is expected via the Heart of the South West Local Enterprise Partnership. In addition, funding from the Government’s Pinch Point Fund will allow additional improvements to take place. However, further funding from developer contributions is needed to ensure a satisfactory and sustainable road network.

5.3.3.3 There are longer-term critical infrastructure items which need to be put in place before significant development on currently uncommitted sites within Policy SDP3 can be implemented. In particular, the single pipe sewers leading to Brokenbury Quarry waste water treatment works are in need of upgrading, or capacity increasing by removing storm water from the shared system. Secondly, the A385 Totnes Road is in need of a comprehensive approach to reduce existing congestion and minimise the number of new accesses onto it. The Local Transport Plan (LTP3 Implementation Plan for Torbay) includes a long term proposal (2021–2026) for improvements to the ‘A385 West of Paignton’. Discussions are taking place between Torbay Council, Devon County Council and South Hams District Council in order to progress preparatory work on this project.

5.3.3.4 These constraints are expected particularly to affect the timing of any development at Collaton St. Mary, so that significant development would only be achievable towards the end of the Plan period. Some small or brownfield sites may come forward earlier, subject to assessment of their individual and cumulative impacts. Further details are set out in Tables 15 and 16.

5.3.3.5 Developments within the area

covered by Policy SDP3 should seek to achieve better access to the countryside south and west of the developed area, providing recreation, landscaping and biodiversity value together with green infrastructure, including allotments. For example redevelopments in the area should consider opportunities for habitat enhancements, such as planting to provide bat and wildlife links through the area.

5.3.3.6 Preston Down Road (Policy SDP3.1) comprises two fields, one on each side of Preston Down Road. They are owned by Torbay Council. The SHLAA identifies each site as having a capacity of around 50 dwellings. The land is to the north of the Western Corridor and therefore less constrained than other areas in Policy SDP3. Development of the sites must be sensitive to the landscape setting, to minimise impact on the rural areas around the location.

5.3.3.7 Great Parks (Phase 2) (Policy SDP3.2) is the latter phase of a residential development that commenced in the early 1990s. The second phase has been assessed and is still considered to offer a sustainable location for development. Masterplanning and community engagement have been completed, and suggest that there is capacity to build around 450 dwellings on the remaining land at Great Parks. The development should secure better access to countryside and the creation of new green infrastructure through the proposed Great Parks Country Park, which should be designed and landscaped to minimise flood risk. It is expected to take about 10 years to build out Great Parks Phase 2 due to completion rates.

5.3.3.8 As noted above, Collaton St. Mary (Policy SDP3.3) is likely to come forward towards the end of the 20 year Plan

period, due to the complex infrastructure and masterplanning needed to facilitate development. In addition to sewerage and strategic highway issues, there is a need to address local flooding and landscaping issues and to provide green and community infrastructure. It is envisaged that development should enhance the role of a village centre close to the existing pub, church, hall and school, and make provision for employment space. A smaller amount of housing (around 40 dwellings) is possible in the shorter term at the former Torbay Holiday Motel, which is an under-used brownfield site. However, there is a need for a comprehensive and co-ordinated approach to development in this area, to ensure resources are available for infrastructure improvements, to provide a more sustainable community and to ensure that development reflects and enhances the character of the village.

5.3.3.9 Brixham Road (Policy SDP3.4) is a significant growth area with mixed use areas at Yalberton Road under construction. Due to developer build-out rates this area is likely to be developed out over the next 10 years.

Yalberton, White Rock and the Devonshire Park (former Nortel) site form part of an important employment and education hub, with South Devon College and a range of businesses in close proximity. Improvements and expansion of South Devon College, including provision of an energy centre / sustainable construction centre and similar facilities are a vital economic, social and cultural asset to the Bay.

5.3.3.10 There is some scope to expand beyond the existing land with planning permission both along Yalberton Road (on the site known as the Jackson land) and making better use of the Devonshire Park site on Long Road/Brixham Road. These sites should provide a significant amount of employment floorspace, although mixed use residential schemes will be supported where they provide enabling development and help meet housing needs. The Local Plan promotes them for mixed use development comprising a significant element of residential development to assist in the short to medium term supply of housing. As a broad guide, around 25% of the Devonshire Park (former



Nortel) site and 25% of the Yalberton Road (Jackson land) will be sought for employment uses, and 75% for residential. Strategic landscaping will be essential to protect the attractive rural hinterland/orchards to the west of Yalberton. Because the sites are brownfield (Devonshire Park) or already committed for development (Jackson land) and do not rely on improvements to the A385 Totnes Road, they are sequentially preferable to sites in the Collaton St. Mary area of search and could be

implemented more quickly. Early delivery of employment will be required, subject to other Local Plan considerations.

5.3.3.11 White Rock (also known as Long Road South – Policy SDP 3.5) is a committed strategic mixed use employment/housing development that will provide 8.8 hectares of employment land, around 1,200 jobs and around 350 dwellings mainly over the first half of the Plan period.

Table 15 SDP3: Paignton North and Western Area - Key sites for employment

Policy / site name	Type of site / type of employment	Area	Deliverable / developable
Great Parks (SDP3.2)	Primarily residential, some employment generating use in new Local Centre	330 – 550 sq m	Masterplanning completed. Mainly residential.
Totnes Road/ Collaton St. Mary (SDP3.3) and nearby locations	Future Growth Area is around 95ha. It is expected that around 28ha would be developed, some of which would be for employment. 6.8ha employment land at Claylands, deliverable in early part of Plan.	6.8ha+	Claylands: deliverable through TDA. Collaton St. Mary- Masterplanning completed. Future Growth Areas – Significant infrastructure constraints (sewerage, drainage, highway). Likely to be developed in longer term (post year 10).
Brixham Road/ Yalberton (SDP3.4)	Yannons Farm (committed sites). Devonshire Park (former Nortel site) – mixed use scheme including employment.	1.85ha or 25% of the development area.	Deliverable –Committed mixed use developments including 3.7ha employment at Yalberton (Jackson land) 1ha at Devonshire Park (former Nortel site) – developable.
White Rock (SDP3.5)	Committed site providing local centre and high quality employment space	8.8ha employment land	Deliverable: Committed sites have permission and no significant constraints to delivery.

Table 16 SDP3: Paignton North and Western Area - Key sites for housing (excluding windfalls - see Table12)

Estimated delivery period (years)	1-5	6-10	11-15	16-18		
Policy / site name	Commitments and other deliverable sites	Commitments (continued delivery), Neighbourhood Plan sites and Future Growth Area			Total	Notes and key infrastructure requirements
SDP3.1 Preston Down Rd		50	50		100	Qualitative improvements to green infrastructure provision
SDP3.2 Great Parks	144	265	76		485	Western corridor improvements (underway). Masterplan completed.
SDP3.3 Totnes Rd / Collaton St. Mary		62	104	294	460	Masterplanning completed. Western corridor improvements (underway). Improvements to A385 . Flooding and sewerage infrastructure. New community facilities including primary school expansion. Development of brownfield land will be promoted in the shorter term. Reduction of 376 dwellings at Collaton St Mary as a result of Masterplanning
SDP3.4 Brixham Road / Yalberton	150	470	220		840	Western corridor improvements. Need to support investment in sewerage capacity and flood protection. New community facilities including primary school expansion. The former Nortel site (Devonshire Park) is closely related to the Policy SDP3.4 area. Early delivery of brownfield sites such as this will be supported.

SPD3.5 White Rock	125	175	50		350	Site has planning permission for mixed use development.
Non-identified sites of 6+	14				14	Kings Ash House (unless retained as offices)
Total SDP3	433	1,022	500	294	2,249	

5.3.4 Clennon Valley Leisure Hub

Policy SDP4 Clennon Valley Leisure Hub

Clennon Valley in Goodrington will develop its role as an outstanding leisure and recreation venue, providing activities and sports facilities for residents and visitors, within a superb natural setting. This will include, and be led by, a mix of leisure, recreational, tourism and community uses as the core activity in the area.

Development should comprise a landscape and green infrastructure-led design approach to ensure the conservation of a strategic green corridor linking Goodrington's beaches with the top of the valley and nearby holiday accommodation and parks. Development in this sensitive location should provide resilience to the effects of climate change and adhere to planning guidance on Greater Horseshoe Bats within the South Hams SAC. Any proposals that may lead to likely significant effects on sites protected under European legislation will only be permitted where no adverse effect on the integrity of the site can be shown.

Developments within the Clennon Valley Leisure Hub will comprise a mix of uses and deliver improvements to the recreation and tourism offer, whilst enhancing green infrastructure and biodiversity in the area.

Explanation:

5.3.4.1 Clennon Valley is an important recreation, leisure and tourism destination for the whole Bay. It provides a good opportunity for expanded sports and recreation provision, including a velodrome and closed road cycling circuit. A range of health, education and community uses are likely to be acceptable in this area, particularly where it can help towards meeting identified needs in the Torbay Sports Facilities Strategy (2015). Future investment in the Torbay Leisure Centre is anticipated to form a part of this additional provision.

5.3.4.2 Tourism uses, including water-based activities and holiday accommodation, are appropriate to this location. Seafront development should provide opportunities to improve permeability and public access to the beach and be of the highest quality reflecting the area's important natural setting.

5.3.4.3 Proposals should promote pedestrian and green links west-east, connecting South Devon College, Paignton Community College, Paignton Zoo, Long Road South Business Park and the wider

countryside to Quaywest, Goodrington Sands and the sea.

5.3.4.4 Development will be expected to incorporate and contribute towards flood alleviation and sea defence measures to provide resilience to climate change, using sustainable drainage methods wherever practicable. Flood vulnerable uses will be directed to areas of no/low flood risk.

5.3.4.5 All development should be of an appropriate scale and seek to minimise the impact on their surroundings, taking into account the special sensitivity and ecological value of the wider area. The green valley that connects the open countryside with the sea should be conserved and enhanced. Any built development should be located and designed to conserve this important natural corridor and respect its natural setting.

5.4 BRIXHAM

5.4.1 Brixham Strategic Policy Area



Policy SDB1 Brixham Peninsula

Brixham will accommodate appropriate but limited new growth. A range of developments will be sought to sustain a viable retail function, maintain an appropriate range of community facilities and meet local housing and employment needs. Brixham's role as a fishing port and resort, with a nationally important and historic working and creative harbour, will be enhanced. Development will include a new Northern Arm Breakwater and improved water-borne transport

facilities to support Brixham’s regeneration and prosperity. The historic character, outstanding natural setting, and internationally important biodiversity value of the town and its setting will be safeguarded and enhanced.

Brixham is expected to provide sufficient land to enable delivery of at least 2,700 square metres of employment floorspace and 660 new homes over the Plan period.

Such development will only be acceptable if it can be accommodated without prejudicing the integrity of the Area of Outstanding Natural Beauty and Special Areas of Conservation, and provided that the interests of priority species, such as the Greater Horseshoe Bat and Cirl Buntings, can be safeguarded. Greater Horseshoe Bat mitigation measures will be required as recommended by the HRA Site Appraisal Report of Torbay Local Plan Strategic Delivery Areas (Proposed Submission Plan) 2014.

Mitigation measures for the wider SDB1 strategic delivery area include:

- 1) protection and management of existing trees;
- 2) retention of former hedge lines, managed as part of the development;
- 3) no increase in lighting in bat flyways to greater than 0.5 lux; and
- 4) reduction of the impact of additional recreational pressure on the SAC.

The expected delivery, pace and sequence of delivery are set out in Tables 17 and 18 below and Policies SDB2 and SDB3. Policy W5 is also relevant.

Explanation:

5.4.1.1 Brixham is bounded by the South Devon Area of Outstanding Natural Beauty (AONB) and its scope for outward expansion is therefore constrained by this nationally important designation. The AONB boundary largely comprises rural coastline as part of the wider South Devon AONB. The area around Berry Head is a Special Area of Conservation (The South Hams Greater Horseshoe Bat SAC), which is a European wildlife protection designation. The coast is also bounded by a candidate marine SAC designated for its reef and sea cave habitat. Due to the incidence of numerous overlapping Local Plan Policies within the Berry Head Country Park, the Key to

the Policies Map shows a ‘Berry Head Special Area’. This is not a policy designation per se; it is shown for mapping purposes only, in order to clarify the range of designations lying within it. The urban fringe area also serves an important tourism and recreation function and there is a need to balance the competing pressures on the area. New development should have regard to the Brixham Urban Fringe Study (2011), which describes management priorities and development opportunities in more detail.

5.4.1.2 The Recreational Impacts on Berry Head – additional HRA work for the Torbay Local Plan (2014) - has identified that the level of growth proposed by the

Local Plan could realistically increase the recreational pressure on the Berry Head to Sharkham Point component of the South Hams SAC. The data available suggests that there is a zone of influence of approximately 5 kilometres driving distance, roughly equivalent to development in the Policy SDB1 Brixham Peninsula area. The above HRA report recommends a number of mitigation measures that need to be implemented to ensure the integrity of the SAC is not compromised as a result of increases in recreational pressure (see Section 5.4.3.4 below). All mitigation must be delivered within a timescale linked to that of the development and targeted to resolve impacts on the European site.

5.4.1.3 Churston, Churston Ferrers and Galmpton are situated within the Brixham Peninsula area. Although they are separate settlements, they form part of the countryside between Paignton and Brixham and are partly within the AONB. The AONB's boundaries with the north western part of Brixham have been eroded in the past and in order to conserve the landscape and scenic beauty, there may be a case for redevelopment on brownfield sites to create a better landscaped transition between the built-up area and countryside. Where practicable, new development should include drawing back development from the AONB, or strengthen and improve landscaping. Regard should be had to the conservation or enhancement of the built, natural and historic environment, particularly within conservation areas, in accordance with other Policies in this Plan.

5.4.1.4 Whilst less sensitive parts of the rural hinterland outside of the AONB may provide scope for leisure, recreation or limited residential use, care must be taken to maintain the landscape character and avoid a coalescence of settlements (see Policy C1).

5.4.1.5 Improvements to sustainable transport are important to reduce reliance on the private car and 'rat-running', given the narrow street layout and relatively poor accessibility of Brixham. In particular an enhanced park and ride facility along the A3022 is proposed in the Local Transport Plan (LTP3) and on-line improvements to the Western Corridor from Windy Corner (see Policy SS6) will improve the accessibility of Brixham.

5.4.1.6 There is scope for further urban regeneration within the harbourside and waterfront areas of Brixham, as promoted in the Tor Bay Harbour Authority Port Masterplan (2013). This should support and improve maritime industries and tourism whilst also providing homes. Urban regeneration should consider the historic character whilst incorporating green infrastructure such as green spaces. Limited development on the edge of the built-up area will be promoted where it does not harm the SAC or the special landscape character and helps ensure the survival of community facilities.

5.4.1.7 The level of housing and employment proposed in the Brixham Peninsula is a reflection of the environmentally constrained and peripheral nature of this area. Improvements along the Western Corridor and at Windy Corner will be required to improve connectivity. It is estimated that, subject to an improvement in market delivery, existing planning permissions (such as at Sharkham and Paint Station), sites identified in the SHLAA (such as Northcliff Hotel) and windfall sites will provide space for up to 260 new homes over the first 5 years of the Plan.

Table 17 SDB1: Source of employment floorspace within Brixham Peninsula (and indicative broad timescale by source)

Policy / site name	Commitments (mainly years 1-5 and 6-10 of Plan)	Deliverable urban and rural / Neighbourhood Plan sites (mainly years 6-10 of Plan)	Future Growth Area (years 11-15 and 16-18 of Plan)	Notes and key infrastructure requirements
SDB2 Brixham Town Centre & Waterfront		Oxen Cove and Freshwater 1.3ha (2,000 sq m) Brixham Town Centre (500 sq m).		Allocate for B1/B2/ B8 uses, targeted at the maritime sector. Part of a mixed use scheme.
SDB3.1 Brixham Urban Fringe & AONB		Potential employment uses suitable to the rural setting, for example within the Village Envelope (200 sq m).		Implementation of Western Corridor/ Windy Corner improvements.
SDB3.2 Brixham Urban Fringe & AONB		Nothing additional identified.		Windfall sites considered, subject to impact on AONB / SAC and Western Corridor/Windy Corner improvements.
SHLAA sites elsewhere within SDB1		Northfields (2.5 ha existing). Torbay Trading Estate (1.4 ha existing).		Existing space to be identified in the Brixham Peninsula Neighbourhood Plan.
Total		1.3ha (2,700 sq m)		

Note: See also Appendix C (Table 27) for details of possible Neighbourhood Plan employment sites

Table 18 SDB1: Estimated source of housing within Brixham Peninsula

Estimated delivery period (years)	1-5	6-10	11-15	16-18		
Policy / site name	Commitments and other deliverable sites	Commitments (continued delivery), Neighbourhood Plan sites and Future Growth Area			Total	Notes and key infrastructure requirements
SDB2 Brixham Town Centre & waterfront	20		45		65	Investment in sea wall, Northern Arm Breakwater or similar flood defence infrastructure needed to unlock development.
SDB3.1 & SDB3.2 Brixham Urban Fringe & AONB	73	135	29	25	262	Provision of tourism to be considered. Note: Wall Park site has planning permission (165 dwellings). 30 dwellings assumed to be within first 5 years. The remaining 105 in years 6 -10. Note: Fishcombe Cove subject to AONB, tourism and transport impacts being acceptable.
SHLAA sites elsewhere within SDB1		52	139	38	229	Churston Golf Club included as medium / long-term possibility. Subject to annual monitoring.
Windfalls	66	65	65	39	235	Subject to annual monitoring.
Total Brixham	159	252	278	102	791	

5.4.2 Brixham Town Centre, Harbour and Waterfront

Policy SDB2 Brixham Town Centre, Harbour and Waterfront

Mixed use regeneration is proposed in the Brixham Town Centre, Harbour and waterfront areas. The objective of this Policy is to provide a range of retail, employment, leisure and residential facilities appropriate to the scale of the town, and to sustain its role as a vibrant maritime resort, to support and develop traditional industries and diversify the economic base. The provision of a Northern Arm Breakwater is proposed to enable the creation of additional employment and leisure opportunities.

Any proposals that may lead to likely significant effects on sites protected under European legislation will only be permitted where no adverse effect on the integrity of the site can be shown.

Developments within Brixham Town Centre, Harbour and waterfront are set out in Tables 19 and 20 below.

Explanation:

5.4.2.1 Brixham Town Centre will deliver an improved provision of good quality retail facilities and other town centre uses on lower floors with residential and office space above. This will include the redevelopment of the car park at Middle Street, to provide food retail, car parking to serve the town, smaller unit shops, residential units and improved public realm. The scheme will create a high quality and vibrant public realm with active ground floor uses including cafes, bars and restaurants.

5.4.2.2 The Harbour area will have improved sustainable transport links to reduce the need to travel by car. These will include park and ride facilities to serve Brixham and provide a transport interchange (Policy SS6.8), and the proposed improved water-based transport links for leisure and commuting (Policy SS6.6). Such measures will be accompanied by improved walking and cycling facilities to increase the permeability of the town centre

and provide a high class working and recreational environment for residents and tourists. Schemes should incorporate green infrastructure assets into development, such as green space for relaxation and healthy living, and street trees for cooling, shade and cleaner air.

5.4.2.3 A longer term, key infrastructure proposal for the Harbour is the Northern Arm Breakwater which will transform Brixham into one of the largest sheltered deep water areas in the South West. It will also facilitate and enhance the capacity of mixed use employment-oriented development at Freshwater Quarry and Oxen Cove. This proposal has been the subject of various economic, ecological and hydrographical studies and is likely to be subject to an Environmental Impact Assessment at the detailed proposal stage.

Table 19 SDB2: Brixham Town Centre, Harbour and Waterfront - Key sites for employment

Policy / site name	Type of site / type of employment	Area	Deliverable / developable
Oxen Cove and Freshwater Quarry	Allocate for Use Class B1/B2/B8 uses, targeted at the maritime sector in waterfront locations.	1.3ha (2,000 sq m)	Developable, subject to sequential / exceptions flood risk tests and retention of appropriate level of car parking.
Brixham Town Centre	Primarily retail uses and other suitable main town centre uses.	500 sq m	Developable, subject to sequential / exceptions flood risk tests and retention of appropriate level of car parking.

Table 20 SDB2: Brixham Town Centre and Waterfront - Key sites for housing (excluding windfalls – see Table 18)

Estimated delivery period (years)	1-5	6-10	11-15	16-18		
Policy / site name	Commitments and other deliverable sites	Commitments (continued delivery), Neighbourhood Plan sites and Future Growth Area			Total	Notes and key infrastructure requirements
SDB2 Brixham Town Centre & Waterfront	20		45		65	Investment in sea wall, Northern Arm Breakwater or similar flood defence infrastructure needed to unlock development. Brixham Town Centre and waterfront sites could help fund harbourside regeneration.

5.4.3 Brixham Urban Fringe and AONB

Policy SDB3 Brixham Urban Fringe and Area of Outstanding Natural Beauty

The Area of Outstanding Natural Beauty around Brixham, including Berry Head National Nature Reserve, St. Mary's Bay and the wider Brixham urban coastal fringe, will be conserved and enhanced to protect its intrinsic landscape and biodiversity value, and for recreational and tourism purposes.

Development in this sensitive location should adhere to planning guidance for Greater Horseshoe Bats within the South Hams SAC. Adequate mitigations should be provided, in accordance with the HRA Site Appraisal Report of Torbay Local Plan Strategic Delivery Areas (Proposed Submission Plan)(2014), that ensure:

- i) there are no further restrictions on potential movement of Greater Horseshoe Bats along the strategic flyway through the area; and
- (ii) the retention and enhancement of foraging and on-site roosting opportunities.

Any proposals that may lead to likely significant effects on sites protected under European legislation will only be permitted where no adverse effect on the integrity of the site can be shown.

Development should seek to enhance existing green infrastructure assets, create new assets and provide improved connectivity between individual assets.

Developments within the Brixham Urban Fringe area should comprise a mix of suitable uses to meet the key requirements specified below, in the context of the Brixham Urban Fringe Study (2011) as set out in Tables 21 and 22 below.

Explanation:

5.4.3.1 Policy SDB3 covers the area to the west of Brixham (Policy SDB3.1) and to the east (Policy SDB3.2). The nationally and internationally important constraints that impact on Brixham's setting are recognised in the relatively low housing and employment requirements set out in Policy SDB1. Development within this area (Policy SDB3) will only be acceptable where it preserves and enhances the landscape, biodiversity or geodiversity character of the area, is of a sympathetic design and respects its

outstanding natural setting.

5.4.3.2 Protection will be given to the sensitive landscape, ecological and geological features, wildlife corridors, SSSI, Area of Outstanding Natural Beauty, South Devon Special Area of Conservation (SAC) and candidate marine SAC. This will be delivered through sensitive and appropriate landscaping, and by steering development away from the most sensitive locations, including drawing back development from the AONB in the most sensitive areas.

5.4.3.3 All development will be expected to conserve and enhance the undeveloped coast area and maintain or enhance a coastal margin (Policy C2). This should include provision for its long term management and enhancement, and avoid the vulnerable areas subject to flood, erosion and instability referred to in Policy C3, as defined on the Policies Map. New developments in coastal areas should be appropriate to the coastal location, enhance public access to the coastal margin and reduce risk to life and assets.

5.4.3.4 The Recreational Impacts on Berry Head – additional HRA work for the Torbay Local Plan (2014) - has confirmed that the level of growth proposed by the Local Plan would increase the recreational pressure on the Berry Head component of the South Hams SAC. The evidence has also recommended a number of mitigation measures that need to be implemented to ensure the integrity of the SAC is not compromised as a result of increases in recreational pressure, as follows:

- 】 Habitat management required to increase the resilience of the site over and above that already required to maintain the interest features of the site; and
- 】 Increased visitor engagement work.

5.4.3.5 Redevelopment of tourist accommodation outside the built-up area should modernise or enhance the tourism offer. Sensitive redevelopment for residential purposes is proposed within the built-up area, to help maintain the viability of community facilities, strengthen the rural boundary and enhance the AONB, provided this does not harm the integrity of the SAC, including flight paths of Greater Horseshoe Bats. Consideration should be given to the long term integrity of habitats, flight paths and foraging areas, taking into account climate change management (see Policies SS2, NC1 and C3).

5.4.3.6 The park and ride facilities at Churston to serve Brixham (Policy SS6.8) are part of a network of measures including improvement of sustainable transport links within SDB2, provision of a transport interchange and improved water-based transport in the Harbour. Enhanced access to the surrounding countryside and Kingswear Peninsula, set out in the Torbay Green Infrastructure Delivery Plan (2011), should be promoted within all new developments (see also Policy SS9).

Table 21 SDB3: Brixham Urban Fringe and AONB - Key sites for employment

Policy / site name	Type of site / type of employment	Area	Deliverable / developable
Sites within Urban Fringe and/or AONB	Potential employment uses appropriate for rural setting within the Village Envelope or built-up area of Brixham.	Approximately 200sq m Use Class B and non-Use Class B space.	Limited development options due to landscape and biodiversity constraints.

Table 22 SDB3: Brixham Urban Fringe and AONB - Key sites for housing (excluding windfalls - see Table 18)

Estimated delivery period (years)	1-5	6-10	11-15	16-18		
Policy / site name	Commitments and other deliverable sites	Commitments (continued delivery), Neighbourhood Plan sites and Future Growth Area			Total	Notes and key infrastructure requirements
SDB3.1 Brixham Urban Fringe & AONB	9				9	
SDB3.2 Brixham Urban Fringe & AONB (Berry Head and Sharkham)	64	135	29	25	253	30 dwellings assumed to be within first 5 years. The remaining are within years 6-10. Provision of tourism to be considered. Note: Fishcombe Cove subject to AONB, tourism and transport impacts being acceptable.
Total SDB3	73	135	29	25	262	



6. POLICIES FOR MANAGING CHANGE AND DEVELOPMENT IN TORBAY

6. POLICIES FOR MANAGING CHANGE AND DEVELOPMENT IN TORBAY

6.1 Aspiration 1: Secure economic recovery and success

6.1.1 Town centres and retailing

Policy TC1 Town centres

The primary locations for retail and other town centre services and facilities in Torbay will be the town centres of Torquay, Paignton and Brixham, as defined in the Policies Map. The vitality and viability of these town centres will be enhanced through the regeneration of key sites. All future growth in retail and town centre uses should follow a town centre first approach, resisting out-of-town and out-of-centre retailing that would harm the vitality and viability of town centres. The Local Plan supports the following:

- (i) The delivery of masterplans for Torquay and Paignton Town Centres;
- (ii) Mixed use regeneration of key sites in town centres as identified in the relevant 'place' Policies (SDT2, SDP2 and SDB2), including the provision of major retail, leisure, cultural, recreational and event space, and the comprehensive redevelopment of parts of the town centres;
- (iii) Employment and housing provision, within and near to town centres, particularly within peripheral parts of the designated town centre not covered by primary or secondary shopping frontage;
- (iv) The re-use of under-utilised or outdated floorspace, above existing commercial premises in town, district or local centres, as a source of employment space and housing supply;
- (v) Mixed use edge of centre developments that help to achieve more balanced communities by delivering a mix of employment, leisure, retail, family housing, healthcare, education and local centre facilities;
- (vi) 'Meanwhile' uses that deliver more vitality to neighbourhood, local, district and town centres, where these help reduce the number of vacant properties and will support valuable, long term uses;

- (vii) The use of heritage assets, public art and public space, events, exhibitions and festivals to provide a more enjoyable, creative environment in town centres; and
- (viii) New or enhanced district, local and neighbourhood centres, that complement town centre facilities, provide a range of goods and services that meet the day-to-day needs of local communities, including the provision of healthcare facilities, local skills training facilities, local employment and local food outlets.

Explanation:

6.1.1.1 This Plan promotes a range of town centre redevelopments to provide new retail and leisure facilities as part of mixed use developments. This will improve the appeal and offer of the centres, ensuring multi-functionality, meet future identified need, retain expenditure and shoppers within Torbay and assist wider regeneration and environmental enhancement. It will also support the role of towns providing a range of other activities such as theatres and galleries. Masterplans (commissioned by the Council) and neighbourhood plans will have a key role in place-shaping within each of the three town centres. There is currently a lack of larger format units to suit the requirements of main high street retailers, particularly in Torquay Town Centre. This should be addressed within redevelopment proposals as appropriate. At the same time, the Council recognises that the short-term use of temporarily empty buildings ('meanwhile' uses) can bring welcome benefits to what might otherwise be blighted shop frontages.

6.1.1.2 A great opportunity also exists to strengthen tourist, cultural and leisure retail provision to further enhance the distinctive offer around Torquay Harbour. Smaller and independent retailers are essential in transforming towns into vital, vibrant and distinctive environments. They often flourish in secondary shopping areas, where rents are lower, and there is greater flexibility

about permitted uses. District, local and neighbourhood centres also contain a variety of local shops that contribute to a range of goods and services which enrich Torbay's retail offer. These are covered by Policy TC2.

6.1.1.3 It is recognised that each of the three town centres is currently geographically spread out and there are opportunities to reduce their extent in order to focus town centre activities into a more compact and vibrant heart. To meet this objective, appropriate complimentary non-town centre uses may be supported on the periphery of the designated town centre area. All town centres contain historic elements, and Policy TC1, in conjunction with the 'area' Policies (SDT, SDP, SDT) and Policy HE1, seeks to make use of the historic environment to add value to the economy.

Policy TC2 Torbay retail hierarchy

Retail development will be supported within the following centres where it is appropriate to the role, function and scale of those centres, having regard to the shopping hierarchy below. Major developments will be sited in town centres, with smaller developments in district centres, then local centres and neighbourhood centres in sequential order and in relation to local needs and function.

The following centres (and, where appropriate, their associated primary shopping areas, primary and secondary frontages) are defined in accordance with the shopping hierarchy specified below and are shown on the Policies Map:

Shopping centre hierarchy	Torquay area	Paignton area	Brixham area
1. Town Centres	1. Torquay	2. Paignton	3. Brixham
2. District Centres	1. The Willows 2. St Marychurch	3. Preston	N/A
3. Local Centres	1. Barton Hill Road, Barton 2. Hele Road, Hele 3. Cadewell Lane, Shiphay 4. Plainmoor 5. Babbacombe 6. Old Mill Road, Chelston 7. Walnut Road, Chelston 8. Lucius Street 9. Belgrave Road 10. Higher Union Street, Torre 11. Wellswood 12. Lisburne Square, Torwood	13. Marldon Road 14. Foxhole 15. Three Beaches, Goodrington 16. Cherrybrook Square 17. Churston Broadway 18. Yannons 19. White Rock (when completed)	20. St Mary's Square
4. Neighbourhood Centres	1. Moor Lane, Watcombe 2. Fore Street, Barton 3. Condor Drive, The Willows 4. Queensway, Shiphay	10. Preston Down Road 11. Lower Preston 12. Sturcombe Avenue, Roselands 13. Great Parks (when completed)	15. Pillar Avenue 16. Briseham Road 17. Summercourt Way

	5. Upton Road, Upton 6. Sherwell Valley Road, Chelston 7. Ellacombe 8. Roundhill Road, Livermead 9. Edginswell (when completed)	14. Collaton St. Mary (when completed)	
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Explanation:

6.1.1.4 Each of Torbay's town, district, local and neighbourhood centres have a different role based upon the available range and number of shops and services, the catchment population and the distance over which people are expected to travel to reach the centre.

6.1.1.5 Town centres are the most significant centres within the retail hierarchy in Torbay with large trade catchment areas. They will remain the focus for retail, commercial and other typical town centre-related activities, including leisure and cultural uses. Torquay is the key town centre in terms of size, range of facilities and levels of investment. Paignton and Brixham are of a smaller scale and trading influence. The need for consolidation and further development of the status of Torquay as Torbay's principal town centre is underpinned by evidence in the Torbay Retail Study Update (2013). This is not designed to restrict the development of Paignton and Brixham, but rather to provide a basis for directing new development of an appropriate scale to each centre, recognising their size, scope and retail significance.

6.1.1.6 District centres offer a good range of retail facilities and related services but to a more localised catchment area, often large areas of particular towns. Whilst Preston and St Marychurch are traditional district centres, with significant numbers of local traders, the Willows serves the car-borne shopper carrying

out weekly or less frequent shopping visits.

6.1.1.7 A review of Torbay's existing local centres has been undertaken in order to strengthen the existing retail hierarchy and inform this Plan. As a consequence, an existing group of shops has been identified as a local centre (Lisburne Square, Torwood, Torquay). A new designation of 'neighbourhood centres' has been introduced in accordance with the NPPF, which comprises the allocation of three existing clusters of shops as neighbourhood centres, alongside the redesignation of some of the smallest previously existing 'local centres'.

6.1.1.8 Local centres provide a range of small scale retail and other related services capable of meeting local needs, top-up shopping, and act as the focus for the local community, such as post offices, newsagents, pharmacies and groceries. The provision of new local or neighbourhood centres may be required to meet the demand arising from major new residential developments, including those at Edginswell, Torquay and Great Parks, White Rock and Collaton in Paignton. When completed these new centres will form part of the retail hierarchy.

6.1.1.9 Neighbourhood centres are typically small parades with limited provision of facilities and serving a more local catchment.

Policy TC3 Retail development

(A) New retail development within town centres will be supported when:

1. It is of a scale appropriate to the nature and size of the centre and will complement its role and character;
2. It sustains the primary shopping role of the centre and positively contributes to improving its vitality and viability;
3. It does not undermine any special cultural or tourism appeal as a result of the loss of key retail, tourism, cultural or other facilities;
4. It enhances the overall attractiveness of the centre for its users through environmental improvements, better pedestrian permeability, improvements to vehicular access and parking arrangements, and other town centre management measures; and
5. It maintains the primary shopping function of primary frontages where appropriate.

(B) New retail development within district, local and neighbourhood centres (excluding The Willows) will be supported when:

1. It is of a scale appropriate to the nature and size of the centre and will complement its role and character; and
2. It provides for and sustains a range of services and facilities which contribute to the long-term vitality and viability of the centre and the ability of people to meet their needs locally.

(C) New retail development within The Willows District Centre must meet the following criteria:

1. Further retail development at The Willows (other than minor development) will only be permitted where it cannot be located within the three town centres, or the other district centres, and where it meets the tests for new out-of-centre retail developments set out below.

(D) New out-of-centre retail development must meet the following criteria:

1. Proposals should not cause any unacceptable impacts either individually or cumulatively on the vitality and viability of existing and planned centres in the catchment area of the proposal, including site proposals in the Local Plan and/or neighbourhood plans. Proposals for Use Class A1 retail comparison or convenience goods over 500 square metres gross, and town centre uses over 500 square metres gross, must provide a retail impact assessment;

2. No other town centre or edge-of-centre site is suitable, available or viable; and
3. Development would improve the spatial distribution of accessible facilities throughout the Bay and help to achieve greater social inclusion.

(E) Corner shops, village shops and isolated shops:

1. The introduction of new corner shops, village shops or shops serving isolated communities will be supported in principle, where such provision enhances the sustainability of new or existing communities, and is of an appropriate scale to cater for local needs.

Explanation:

6.1.1.10 In order to maintain an effective retail hierarchy that provides a balanced mix of retail and other complementary facilities, new development should be of a type and scale appropriate to the role and size of the particular centre. Local and neighbourhood centres also provide an opportunity to ensure other services, such as health, child care and employment training initiatives, are provided close to where they are needed.

6.1.1.11 Where a retail impact assessment is required, this should consider the likely cumulative effects of recent permissions, developments under construction and completed developments. Further requirements for impact assessments are set out in Paragraph 26 of the NPPF. The Torbay Retail Study Update (2013) recommends that out-of-centre proposals of more than 500 square metres of convenience or comparison retail floorspace should be accompanied by

a retail impact assessment (see Paragraphs 6.31 and 6.32 of the Update).

6.1.1.12 It is important that the sub-regional role of The Willows District Centre should not develop to such an extent that it has an unacceptable impact on the viability of the retail and leisure role of Torquay Town Centre. Current concerns over its potential to further develop its role and thereby further increase its trading impact on Torquay Town Centre merits the requirement for any new development proposed at The Willows to meet the tests which normally apply to out-of-centre developments.

6.1.1.13 In appropriate circumstances, for example with a proposal for a large scale bulky goods outlet, for which a town centre location is not available or acceptable, an out-of-town centre location may be considered favourably by the Council.

Policy TC4 Change of retail use

Proposals for changes of retail use in town, district, local and neighbourhood centres should be of a type and scale appropriate to the role and function of the centre and frontage in which development is proposed. A change of use must not:

1. Undermine the vitality, viability or character of the centre as a whole;
2. Cause unacceptable fragmentation and isolation of retail premises; or
3. Result in the over-dominance of non-retail (Use Class A1) uses within a frontage or centre.

Within primary shopping areas and primary frontages, as defined in the Policies Map, premises should be predominantly Use Class A1 'retail', although Use Class A2 'financial and professional services' and Use Class A3 'restaurants and cafes' will be permitted where they support the vitality or retail function of the area.

Within secondary frontages, retail, leisure or commercial uses will be permitted where;

- (i) The overall shopping character is not undermined; and
- (ii) The proposed use will contribute positively to the centre as the focus of commercial and community life of the town.

Residential use will be permitted on upper floors, and on the ground floor of units in peripheral parts of the town centres which are not subject to a primary or secondary frontage designation, so long as these do not undermine the role or vitality of town centres, for example by creating inactive frontages.

Outside these centres, proposals for change of use of corner shops, village shops and other isolated shops will only be permitted where this would not result in the significant loss of facilities serving the day-to-day needs of local communities.

Explanation:

6.1.1.14 Primary shopping areas and primary frontages are those that tend to perform a core Use Class A1 retail function, usually marked by the presence of big anchor stores and high street multiples. These locations make a significant contribution to commerce and a successful local economy and will be maintained and enhanced. Whilst some Use Class A2 and A3 uses may enhance primary

shopping frontages, they should not be at a level or concentration that undermines their primary retail role.

6.1.1.15 Secondary shopping frontages generally contain a wider mix of retail activity and other town centre uses. A more flexible approach will be taken to the type and mix of uses permitted in secondary frontages, to retain variety, vibrancy and local distinctiveness

in centres. It is important that key regeneration areas are not undermined, for example by the introduction of dead frontages or uses that undermine the amenity of the area. In particular, Fleet Street (Torquay) and Torbay Road (Paignton) have been designated as secondary shopping areas in order to encourage a range of additional retail services, including leisure and eating uses consistent with a café culture, underlining these areas' important links between town centres and harbour/waterfront areas.

6.1.1.16 It is important that district, local and neighbourhood centres retain a mix of uses that provide a useful service to local communities. In particular, St Marychurch and Preston District Centres provide a range of small independent uses that add to the attractiveness of Torbay. Changes of use that undermine this balance and therefore the role of such centres will not be supported.

6.1.1.17 The introduction of residential accommodation into town centres is a sustainable form of housing and supports

the vitality and viability of town centres. Residential development should comply with other Policies in the Plan, particularly those relating to design and housing. Ground floor residential uses should not create 'dead frontages' in the street scene and are thus more likely to be appropriate in the peripheral areas of town centres.

6.1.1.18 Shops located outside of these centres often provide an especially important service to local communities and help to sustain their viability. They can help to reduce car trips for day-to-day convenience needs, and are particularly important both in rural locations and built-up areas that are not within easy walking distance of local or established centres.

6.1.1.19 Neighbourhood plans and masterplans are expected to look in greater detail at specific features of importance within centres, promote local priorities and consider the particular impacts of proposals on centres of local importance. Neighbourhood Development Orders could be used to widen the range of permitted uses within shopping areas.

Policy TC5 Evening and night time economy

The Council supports, in principle, development that helps create a vibrant, diverse evening and night time economy within the town centres, seafront and harbour areas of the Bay. A development proposal must demonstrate that:

1. It will add vibrancy and a complementary offer to that currently available in the centre or area, attracting people of all ages;
2. It will support the creation of a balanced range of evening and night time uses through provision of new activities and venues;
3. It will not add to the cumulative impact of licensed premises, and those providing late night entertainment and services, in an unacceptable manner; and
4. It would not damage the vitality and viability of the centre, impact on amenity or cause disturbance to nearby and neighbouring uses (including residential properties).

Uses or developments that have an impact upon town centre monitoring, maintenance or policing will be required to make appropriate contributions towards the costs of any such monitoring, maintenance or policing arising from the development.

Explanation:

6.1.1.20 The evening and night time offer in Torbay is currently focused on the harbour areas of Torquay and Brixham and the waterfront of Paignton, and is overall more focused toward the night time economy. There is a need to diversify the offer in these areas to create a more balanced range of facilities with a more family friendly appeal. For example the Local Plan supports the provision and enhancement of cultural facilities such as theatres and art galleries. There is also a need for the town centres to diversify their current day time offer, and to extend their times of patronage, creating a more vibrant environment.

6.1.1.21 It is intended that future developments will create town centre, waterfront and harbour areas that can be accessed by all groups in the day and night without fear of intimidation or conflict. The Council has supported initiatives such as the Purple Flag scheme, which seeks to set new standards for attractions, facilities, safety and environmental qualities in the Torquay Harbour and seafront area.

6.1.1.22 While there are opportunities and benefits to expand the evening and night time economies, there are also associated problems with certain existing characteristics of the night time economy, particularly regarding alcohol-related crime and disorder, and noise nuisance from customers. This is a significant barrier to diversity as perceived risks discourage other groups such as older people and families from entering these areas at night. This sector needs careful management.

6.1.1.23 The award of the 'Purple Flag' for the effective management of the night time economy is a significant accolade. This requires ongoing management to ensure it is retained, for example to keep public toilets open and clean, clear up litter, and provide policing and pastoral support. Where planning applications come forward which could put demands on these matters, they will be required to make appropriate contributions and to partake in strategies and initiatives to mitigate the cumulative impact of venues.



6.1.2 Tourism, culture and marine economy

Policy TO1 Tourism, events and culture

Torbay's tourism offer will be developed in a sustainable and competitive manner, to enhance its role as a premier tourism destination. Tourist facilities and accommodation will be improved and modernised, and new tourism facilities provided, in order to attract new visitors, particularly overnight visitors, and increase overall spend. Growth sectors, such as sustainable tourism, will be actively encouraged.

The Council wishes to see the quality of accommodation improved with a wider range of new and refurbished facilities and services. This will be achieved through the following measures:

1. Supporting in principle the improvement of existing and provision of new tourist accommodation and attractions, subject to other Policies in this Plan. In particular proposals that make positive use of Torbay's marine environment, culture, heritage, biodiversity and Geopark will be encouraged;
2. The retention, improvement and creation of new, high quality tourism and leisure attractions, facilities and accommodation in sustainable, accessible locations with a particular focus on the following Core Tourism Investment Areas (CTIAs), as the main areas for investment in tourism;
 1. Babbacombe Downs, Torquay
 2. Harbourside, waterfront and Belgrave Road, Torquay
 3. Seafront, harbourside and Green Coastal Park, Paignton
 4. Goodrington Sands and Clennon Valley, Paignton
 5. Harbourside and waterfront, Brixham
3. Providing improved maritime facilities as part of the regeneration of harbourside and waterfront areas; and
4. Resisting the provision of small apartments and houses in multiple occupation (HMOs) in tourism areas and focusing interdepartmental enforcement action on problem uses, such as some HMOs, in tourism areas (see also Policy H4).

Any proposal that may lead to likely significant effects on a site protected under European legislation will only be permitted where no adverse effect on the integrity of the site can be shown. Development within the Brixham Peninsula (Policy SDB1) should have regard to Policy NC1 concerning the need for developer contributions to mitigate the impact of increased recreational pressure on the South Hams SAC.

Explanation:

6.1.2.1 Torbay has a fantastic brand – the English Riviera – and a wonderful tourism offer. There are some very positive signs of a changing tide for tourism. In general terms, the English Riviera is seeing increased visitor numbers and value, lengthening of the tourism season, increased spend, increased occupancies and overnight stays, growth in overseas visitor numbers and new tourism related development. For example, visitor spend in 2011 was 8% higher than in 2006.

6.1.2.2 Torbay is a resort in transition. Whilst there are signs of positive change, it also exhibits problems faced by traditional seaside resorts. The Tourism Strategy 2010-2015 'Turning the Tide' was adopted in 2009 to reverse this decline. The Torbay Trends Report 2006-2011 (2012) found that Torbay performed above the South West Region in terms of visitor numbers and surveyed business opinions. The ambition for Torbay is to develop tourism in a sustainable and competitive manner, to regain and enhance Torbay's role as a premier tourism destination and to become the events capital of the South West.

6.1.2.3 Policy TO1 provides a spatial context for both the Torbay Tourism Strategy (2009) (and its forthcoming replacement) and the Torbay Economic Strategy (2013). The Policy seeks to maintain and enhance the most important tourism areas as Core Tourism Investment Areas, as defined in the Policies Map. This is intended to accommodate the changing nature of the tourism industry and to provide a supportive framework and critical mass for the development of new leisure and tourism facilities, Supporting existing facilities, such as theatres and attractions, and promoting high quality all-year-round new facilities is vital to ensure the English Riviera can begin to reverse the decline in

the tourism industry and provide for future success. At the same time, the Local Plan seeks to avoid compromising key tourism assets by conserving what is best and most valued about the Bay's tourism offer within a framework of responsible regeneration.

6.1.2.4 A place is often judged by the quality and quantity of its bedspaces, in hotels, guesthouses and bed and breakfast establishments (B&Bs). Torbay Council's approach, over the last few years, has been to keep the best accommodation, but allow poor accommodation to revert to residential use so long as there are other benefits. A review of planning permissions over the period 2009-2013 found that a fall in bedspaces had occurred largely within smaller hotels/apartments or those that could be reasonably considered as out-dated. However, there has been a significant expansion in new purpose-built serviced accommodation, with five new hotels completed and several more in the pipeline (including at Torwood Street, Torquay and Oldway Mansion, Paignton).

6.1.2.5 This approach needs reinforcing and as a consequence, Core Tourism Investment Areas are proposed, as shown on the Policies Map. These are intended to ensure the retention and improvement of sufficient high quality accommodation and attractions in order to provide a critical mass needed by a premier resort. In particular proposals for new 4 or 5 star hotels would be supported in order to meet a growing demand for high class accommodation.

6.1.2.6 Core Tourism Investment Areas (CTIAs) are different from the Principal Holiday Accommodation Areas (PHAAs) defined in the previous Adopted Torbay Local Plan. They seek to promote and enhance a range of tourism activities and facilities, whereas PHAAs were primarily focussed

on accommodation. The CTIAs therefore cover a broader range of areas including harboursides, waterfronts and beaches. It should not be inferred that all areas within CTIAs are either suitable or proposed for development. For example they contain Babbacombe Downs, the lakes at Clennon Valley and coast near to Berry Head, where a significant emphasis will be on conservation of the environment, serving as a green link between different parts of the Bay. Such areas are of benefit to tourism because of their conservation interest, and the Plan does not seek or support development that would undermine their integrity. Nevertheless, such areas are expected to serve as foci for investment in tourism and related activities.

6.1.2.7 Although other areas, such as Cockington, Occombe and Berry Head Country Parks are not designated as CTIAs, it is nevertheless recognised that they have significant value for tourism because of their focus for rural crafts and green infrastructure. Policy SS9 deals with policy in Country Parks. Significant attractions such as Kents Cavern and Babbacombe Model Village fall outside the boundaries of CTIAs. However, the tourism role of these attractions is supported by Policy TO1.

6.1.2.8 A wide range of tourism markets will be promoted, including (but not limited

to) those based on conferences, Torbay Geopark, maritime interest, short break holidays and traditional family breaks. Torbay has a rich heritage and tourism proposals that seek to enhance historic links, for example with Agatha Christie, will be supported.

6.1.2.9 Where appropriate, Local Development Orders will be introduced to allow high quality tourism facilities to come forward quickly.

6.1.2.10 Whilst CTIAs are a focus for tourism investment, there will be instances where proposals will arise outside CTIAs. These will be supported, subject to other considerations in the Local Plan and NPPF, particularly landscape, biodiversity and highways considerations. Where holiday facilities are approved in rural areas, conditions or s106 Planning Obligations will be sought to ensure their tourism use, including a contribution towards monitoring where necessary.

6.1.2.11 It is recognised that there will be some instances where the demolition of out-dated holiday accommodation will be justified in order to achieve modern fit-for-purpose buildings, subject to conservation considerations. Proposals for the change of use of tourist accommodation and uses to non-tourism use will be determined on the basis of Policy TO2.



Policy TO2 Change of use of tourism accommodation and facilities

Within Core Tourism Investment Areas (as shown on the Policies Map):

There is a presumption that the tourism role of premises should be retained and enhanced commensurate with their contribution to the area's tourism offer. The change of use of accommodation or facilities to non-holiday uses will only be permitted where:

1. It lacks an appropriate range of facilities and scope for improvement; and
2. Where it is demonstrated that there is no reasonable prospect of the site being used or redeveloped for tourism or tourism-related purposes.

Outside Core Tourism Investment Areas:

Facilities and accommodation outside CTIAs that make a major contribution to the tourism offer will be protected, in rural and urban areas. The change of use of holiday accommodation or facilities outside Core Tourism Investment Areas will be permitted where:

1. The holiday character of the area and range of facilities and accommodation offered are not undermined; and
2. One or more of the following apply: the site is of limited significance in terms of its holiday setting, views and relationship with tourism facilities; it can be demonstrated that there is no reasonable prospect of the site being used for tourism or related purposes, or; the redevelopment or change of use will bring regeneration or other benefits that outweigh the loss of holiday accommodation or facilities.

Inside and outside Core Tourism Investment Areas:

Proposals for small apartments and houses in multiple occupation (HMOs) will not be permitted where they would conflict with the tourism character and offer of the Bay (see also Policy H4).

Where a change of use away from tourism is permitted, there will be a requirement to restore buildings or land to their original historic form by the removal of unsightly features, signage, clutter and extensions relating to the holiday accommodation use. Where appropriate there will be a requirement to reinstate amenity space lost through over-development as a holiday use. A high priority will be given to restoring the character and appearance of buildings within conservation areas.

Explanation:

6.1.2.12 The 'Turning the Tide for Torbay' Tourism Strategy (2009) indicates there has been a significant change in the demand for tourism facilities and recommends that an oversupply of small and outmoded accommodation be reduced, whilst not reducing the amount of accommodation below a critical mass level. At the same time there is a need to retain and enhance good quality modern facilities in order to maintain the area's status as a premier resort. Whilst there remains a demand for a broad range of accommodation, evidence of occupancy and business performance (see above) suggests that larger hotels are performing better than smaller B&Bs. Seasonal occupancy is a particular issue.

6.1.2.13 Policy TO2 maintains and enhances the successful approach the Council has adopted over the last few years. It protects and enhances the most important and high quality accommodation and facilities, whilst allowing alternative use or redevelopment of some properties that are not viable as holiday accommodation. This mirrors the approach taken in many other seaside towns and seeks to ensure that run down or vacant properties do not detract from Torbay's appeal.

6.1.2.14 Applications proposing the loss of accommodation or facilities within Core Tourism Investment Areas (CTIAs) will be required to demonstrate that continued tourism use or redevelopment is no longer viable. Conservation considerations relating to the acceptability of redevelopment will be taken into account where assessing such proposals.

6.1.2.15 Applications for change of use or redevelopment of tourism accommodation or facilities outside CTIAs will not normally be required to demonstrate lack of viability

unless they are of major significance.

Where a change of use results in the loss of employment, the Council will seek s106 Planning Obligations to mitigate this impact.

6.1.2.16 In considering viability or related matters, the degree to which accommodation or facilities have been marketed and the level of investment in them will be taken into account. Neglect or under-investment will not, on their own, be sufficient reasons to grant planning permission away from tourism use.

6.1.2.17 Within CTIAs the Council will seek to ensure that new holiday accommodation remains for such purposes through planning conditions or s106 Planning Obligations, unless allowing residential occupancy brings clear economic benefits. Outside CTIAs the Council will seek to adopt a flexible approach to allow either residential or holiday use of apartments. However, residential use of holiday apartments will only be permitted where they offer a satisfactory standard of accommodation, having regard to Policies SS11 and DE3. Whilst there is a need for shared accommodation within Torbay, such uses can undermine the character and viability of Core Tourism Investment areas. Therefore proposals for HMOs and similar uses will be resisted in CTIAs and enforcement of unauthorised uses will be a priority.

6.1.2.18 The Torbay Tourism Strategy (2009) has indicated that there is a need for only a slight reduction in numbers of holiday park bedspaces. It is noted that there has already been a significant fall in holiday park bedspaces over the last five years. It is anticipated that improvements in the quality and modernisation of chalets will comprise the bulk of any further reduction. Proposals for the loss of holiday parks will be subject to

Policy H1, Policy TO2 and relevant landscape and environmental Policies in the Local Plan.

6.1.2.19 Some hotels and guesthouses have accrued unsightly clutter, signage or extensions that would not be currently permitted. The removal of such features will be sought as a condition of granting planning permission for a change of use. This will be particularly relevant for proposals affecting conservation areas and listed buildings. Proposals for redevelopment will be considered on the basis of Policy SS10 'Conservation and the Historic Environment', and HE1 'Listed buildings' if relevant.

6.1.2.20 As a minimum, in all areas, cosmetic features such as signage and awnings should be removed when conversion to residential use takes place. Many hotels and holiday flats comprise Victorian buildings with large 20th Century extensions, which were permitted because of their contribution to tourism rather than their design. Where feasible the Council will seek to remove unsightly features such as flat roof extensions

and box dormers, particularly in conservation areas. In many cases their replacement by buildings that are more 'in-keeping' will be appropriate. However, it cannot be assumed that like-for-like replacement will be acceptable if the site has been over developed when judged against modern standards (see Policies DE1 and DE2). If the removal of unsightly features is considered to undermine the viability of development, an independent assessment of viability may be sought. The Council will seek to negotiate an acceptable design solution that improves the visual appearance of the building, and may agree to relax other s106 Planning Obligations to assist viability.

6.1.2.21 As well as improving the built environment, the removal of later extensions will often help improve the quality of living accommodation provided, by improving insulation, sound proofing and living accommodation standards, consistent with Policy DE3. These will improve the liveability and marketability of development.

Policy TO3 Marine economy

The Council will support investment in marine-related development where this produces economic, social or environmental benefits to the area, and where proposals are consistent with wider environmental, historic environment, landscape, biodiversity, ecology, amenity and coastal defence objectives. Sites of importance to marine-based activities will be protected for such use, subject to the other Policies in the Local Plan.

The following schemes will be investigated:

1. An extension to Torquay Harbour
2. Improvements to Paignton Harbour
3. Construction of Brixham Northern Arm Breakwater.

Any proposal that may lead to likely significant effects on sites protected under European legislation will only be permitted where no adverse effect on the integrity of the site can be shown.

Explanation:

6.1.2.22 Tor Bay is a beautiful natural harbour providing shelter from winds and waves from the west. Its natural protection has traditionally allowed ships to anchor in the Bay for shelter. The Bay is part of the Lyme Bay and Tor Bay SAC (Special Area of Conservation). It also contains a number of geological SSSIs (Sites of Special Scientific Interest) and is in a MCZ (Marine Conservation Zone). The coastline provides a flood defence for low lying coastal areas.

6.1.2.23 Tor Bay Harbour provides a large natural protected area of water for leisure, recreational, tourism and commercial use. The coastline and the harbour waters in Tor Bay are a valued resource for the community but the Harbour continues to be a 'working harbour' and the waters have to be shared with commercial shipping, cruise ships, fishing vessels and marine businesses serving shipping.

6.1.2.24 Fishing is vitally important to the port of Brixham. The new fish market and other fishing industry-related investment, totalling some £20 million, has helped safeguard Brixham's position as one of the most important fishing ports in England and Wales by value of catch, with an excellent reputation for the quality of its fish.

6.1.2.25 There are a limited number of cruise ship calls in the Bay and these tend to call between May and September. There are also marine service industries including towage services, pilotage, marine provisions services, sightseeing boats and cross-Bay ferries, and some marine engineering and small scale boat repair operations.

6.1.2.26 Torbay's unique and exceptionally attractive coastal setting offers considerable potential to support economic regeneration

through further investment in marine-related development. A number of such projects and initiatives are identified in the Tor Bay Harbour Authority Port Masterplan (2013). These are currently being pursued or investigated by Torbay Council, Torbay Development Agency (TDA), Tor Bay Harbour Authority and other partners. In particular, the Council is proposing significant levels of investment in Brixham and Torquay Harbours, together with major improvements to Paignton Harbour. Such investment will capitalise on previous spend of more than £150 million on core harbour infrastructure which has delivered new jobs, business growth and support for the local economy. Accordingly, sites that are of importance to the marine economy will be safeguarded for such use (see also Policy C2).

6.1.2.27 In relation to all the above projects, and any others that come forward, the Local Plan requires development to avoid harm to marine ecology, biodiversity and geological conservation interests, including the seabed, reefs and sea caves. Where harm to a protected species of European significance cannot be avoided (e.g. within the Lyme Bay and Torbay Marine SAC), compensatory measures can only be allowed as a last resort, where the Secretary of State is able to confirm that the objectives of the development cannot be met in other ways, and that the proposal is of overriding public interest. In order to demonstrate this, a determination of Imperative Reasons of Overriding Public Interest (IROPI) will be required from the Secretary of State. Advice on such matters may be obtained from the Marine Management Organisation (MMO). Works to harbours or offshore facilities may require a Marine Licence from the Marine Management Organisation.

6.1.2.28 Projects are promoted subject to their acceptability in terms of environmental impact from physical impacts, contamination,

and non-toxic changes (for example to salinity, turbulence nutrients and organic matter), as well as minimising the impacts on main wildlife through piling, noise or other disturbance. Under the Conservation of Habitats and Species Regulations 2010 (as amended), a licence may be required to carry out works affecting marine mammals or their habitats. In any event the schemes outlined above are likely to require an Environmental Impact Assessment (EIA) and Habitats Regulation Assessment (HRA) to be carried out at the application stage. Less major works such as on-shore regeneration of Paignton Harbour may not require an EIA, subject to the findings of a screening opinion.

6.1.2.29 Marine activities and development should not prejudice the interest of defence

and national security and the MoD should be consulted accordingly. Development will need to be safe over its planned lifetime and not cause or exacerbate flood and coastal erosion risk elsewhere. Visual, cultural, historical and archaeological impacts should also be considered. Torbay has an important maritime history and all three harbours are within conservation areas. Policy HE1 is relevant when considering historic assets.

6.1.2.30 Torbay Council must be satisfied that air quality, noise, vibration and water quality impacts have been taken into account and that any such impacts are acceptable. Development must consider how the effects on human health and wildlife can be mitigated and minimised.

6.2 Aspiration 2: Achieve a better connected, accessible Torbay and essential infrastructure

6.2.1 Transport



Policy TA1 Transport and accessibility

The Council is seeking to develop a sustainable and high quality transportation system which makes sustainable travel the first choice when travelling, thereby meeting the accessibility needs of everyone and promoting Torbay's economic competitiveness, whilst reducing the need to travel and its environmental impact.

This will be achieved through:

1. Promoting development in locations that are easily accessible and safely reached by foot, cycle, public transport, other sustainable transport or car;
2. Ensuring that the most sustainable and environmentally acceptable modes of transport are promoted as an integral part of developments, having regard to the following hierarchy of sustainability:
 - (i) walking;
 - (ii) cycling;
 - (iii) public transport;
 - (iv) car sharing;
 - (v) low/ultra low emission vehicles; and
 - (vi) private (high emission) transport.
3. Improving road safety, quality of life and equality of access for all, minimising conflict between road users and prioritising the transport hierarchy.
4. Ensuring that development is designed so that the use of cars is reduced wherever possible and residents have adequate access to employment, retail and community facilities within safe walking and cycling distance and via close proximity to bus stops, served by frequent bus services. Layouts should contribute to a connected network of footpaths, cycle routes and green infrastructure identified in the Torbay Green Infrastructure Delivery Plan. Employment proposals should seek to maximise the opportunities for sustainable transport of freight.
5. Incorporating, in new development, appropriate levels of car and cycle parking (see Policy TA3) that is well-designed, integrates with other public space uses and does not dominate the built environment;
6. Reducing the impact of signage and transport infrastructure within the street scene, to avoid proliferation of unnecessary clutter or harm to the historic features; and
7. Minimising the effect of development upon Air Quality Management Areas (AQMAs).

Explanation:

6.2.1.1 The Council is committed to sustaining and enhancing the transport system across the Bay, prioritising the most sustainable modes of transport, ensuring the free flow of movement on the highway network and encouraging a modal shift away from the private car. Active travel, specifically walking and cycling, has significant health as well as environmental benefits. The transport hierarchy ensures that as much emphasis as possible is given to the most sustainable modes of transport, but also to ensuring there is a choice of transport options for all. There is also a need to acknowledge that car ownership is likely to remain high, and therefore the implementation of policies to encourage walking, cycling and public transport is not intended to penalise car ownership.

6.2.1.2 Accessibility is vital to creating sustainable communities where services, employment and facilities are provided within easy walking distance of homes. Equally

important is the need for good transport connections within the Bay and the wider sub-region.

6.2.1.3 It is important that future development makes an appropriate contribution to delivering these transportation goals, minimises the scale of impact on the highway network and contributes to improved accessibility and a healthy living environment. Where development does not include proposals for encouraging sustainable modes of transport, this may indicate that the proposal is unacceptable.

6.2.1.4 Air Quality Management Areas (AQMAs) have been designated in Hele, Torquay and Brixham Town Centre and are shown on the Policies Map. These areas are characterised by high levels of nitrogen dioxide caused by emissions from road transport, due to low vehicle speeds arising from localised congestion. Action Plans will be prepared by the Council for both AQMAs.

Policy TA2 Development access

All development proposals should make appropriate provision for works and/or contributions to ensure an adequate level of accessibility and safety, and to satisfy the transport needs of the development. Consideration will be given to the hierarchy of sustainable transport and the need to create a connected network of green infrastructure identified in the Torbay Green Infrastructure Delivery Plan. All such works shall seek to maintain or enhance the physical features that contribute to the character of the area.

Accessing the highway network:

Schemes which require new access to/from the highway network will be supported where they:

1. Provide vehicular and pedestrian access to a safe standard, including a satisfactory standard of visibility;
2. Maintain an acceptable network capacity or provide suitable mitigation for any negative impact on capacity;

3. Contain high quality provision for sustainable modes of transport, proportional to the scale and type of development;
4. Enhance public and/or community transport, cycling and pedestrian infrastructure, proportional to the scale and type of development;
5. Are essential to access the schemes and can demonstrate significant environmental, safety or economic benefits; and
6. Do not impact on the wider network, by causing/adding to congestion for example; and
7. Provide for safe turning/manoeuvring of vehicles within the site, particularly for commercial development.

In particular, new access points to the Major Road Network and the District Distributor Road Network (shown on the Policies Map) will not be permitted where there is an impact on road safety, or severe impact (including cumulative effects) on the function and operational efficiency of the Networks.

For major developments:

A good standard of access for walking, cycling, public and private transport should be provided in major development schemes. This will include measures for emergency service vehicles, waste collection vehicles and public transport vehicles to access the site in a way that would not disrupt the service they provide. Additionally, secure covered bicycle parking and changing facilities (e.g. in commercial developments) should always be included. Consideration must be given to the need to make appropriate provision of facilities for disabled persons, such as suitable levels, signage and parking bays.

A Travel Plan is required for all major developments likely to have significant transport implications, setting out how at least 30% of the potential users can gain access by foot, cycle or public transport, and how this will be monitored.

Explanation:

6.2.1.5 It is an important principle that new development should integrate with the surrounding area in terms of its connectivity and should be accessible by a wide range of means, including (but not exclusively) the private car. Development should ensure that people wishing to gain access to the site can do so by a choice of sustainable travel modes, ensuring that potential users can

either walk or cycle safely and conveniently to and from the site. Safe, free-flowing and well-maintained vehicular access throughout development is a vital element of a high quality scheme.

6.2.1.6 Development proposals that require new access provision, and are likely to have an impact on the Major Road Network, will be permitted where the proposal does

not significantly reduce capacity on the road network or impose delays to essential services. Where development proposals are likely to have an impact on the distributor road network, they will be permitted where the development does not unacceptably increase traffic congestion or create difficulties for public transport, cyclists and pedestrians, or where public transport or highway improvements can be made to accommodate any impact. Fleet Walk in Torquay, Victoria Street, Paignton and Fore Street, Brixham are subject to pedestrian priority measures. However, they are also form important town centre routes with service and access requirements and their status in the highway network will be kept under review.

6.2.1.7 It is important that new developments provide a satisfactory standard of access to the wider highway network. For the majority of the network, visibility should accord with national guidance, for example the Manual for Streets and Design Manual for Roads and Bridges. Developments which have direct access to

principal roads and high speed roads should accord with national standards, unless agreed otherwise. Schemes should protect or replicate features of landscape importance such as hedgerows, trees and townscape where this is compatible with the technical requirements noted above. Any additional cost of providing replacement features should be included at the outset of the proposal.

6.2.1.8 A Travel Plan is a key way to assist the management of the transport needs of an organisation or major development. It requires clear (SMART) targets for the use of the various travel options, with deadlines by when these will be achieved. Provision must reflect the transport hierarchy and be made to encourage the use of walking, cycling, public transport, and car sharing. It should also reduce the level of traffic generation and make appropriate provision for disabled users. Educational establishments will need additionally to consider the requirements for pupil/student and parent access.

Policy TA3 Parking requirements

The Council will require appropriate provision of car, commercial vehicle and cycle parking spaces in all new development. The loss of on-street or public parking provision will be a material consideration in planning applications, with additional weight being given to loss of provision in those areas where there is congestion and/or heavy use of public or on-street spaces.

Extensions to, or sub-division of, houses or flats must not result in the net loss of parking provision to below the standards set out below, unless in town centre locations with good travel infrastructure, where alternatives may be considered.

Development proposals will be expected to meet the guideline requirements as set out in Appendix F.

Explanation:

6.2.1.9 Greater flexibility on levels of provision has been provided in town centres, where there is more opportunity to make journeys through walking and cycling. Changes of use will be particularly scrutinised to ensure they do not result in localised parking problems or harm an area's character, or undermine economic viability. Restrictions on the provision of car parking are sometimes used as a demand management tool. High traffic generating uses, particularly out of town developments requiring a Travel Plan, will need to examine how parking provision can affect the way people choose to travel. Levels of car parking provision should also take into account peak and seasonal effects, particularly the additional tourist demand during summer months. The layout and design of car parks should reflect the scale and character of the area; they should be accessible and safe, with careful consideration given to the pattern and scale of buildings and open spaces in the vicinity. They should positively contribute to the urban environment with appropriate hard and soft landscaping, surface materials and street furniture.

6.2.1.10 The standards reflect a balance between ensuring that the levels of

car parking generated by any type of development are met on-site (and therefore overspill and the proliferation of on-street parking is limited) with the need to ensure that the consideration of sustainable transport is fully embedded into the design for new developments. The Local Plan recognises that many people will own motor vehicles and seeks to provide alternatives to car use rather than seeking to inconvenience ownership. The Plan therefore requires residential development to provide adequate on-site parking where possible, but these requirements should not dominate the site's appearance. Whilst courtyard parking may be acceptable, consideration will be given to the likelihood of its use. In broad terms, the provision of adequate and appropriate residential parking should be safe, convenient and discrete so that vehicles do not obstruct the highway or dominate the street scene.

6.2.1.11 Torbay Council will take a site-specific approach taking into account the above considerations. Where minimum requirements are expressed, significant deviations above these minimums will need to be fully justified to ensure this does not lead to an unacceptable reliance on car-based travel and or harmful social or environmental impacts.

6.2.2 Communications

Policy IF1 Information and communications technology

The introduction and installation of the most up to date and fastest telecom and other Information and Communications Technology (ICT) will be supported by the Local Plan.

Applications for ICT developments will be supported where the following criteria are met:

1. The opportunity to accommodate apparatus on an existing mast or structure in preference to new masts or structures has been fully explored;
2. Telecommunication apparatus and associated structures have been sited and designed in order to seek to minimise impact on the visual amenity, townscape, character and appearance of the surrounding area;
3. Development does not have an unacceptable impact, including cumulative impact, on residential amenity, landscape character or wildlife;
4. Existing landscape features have been utilised and/or an appropriate landscaping scheme has been prepared to minimise the impact on the visual amenity, character or appearance of the surrounding area;
5. If on a building, apparatus and associated structures should be sited and designed in order to minimise impact to the external appearance of the host building; and
6. Underground facilities and ducts should be sited and laid to minimise harm to tree roots or areas of archaeological importance.

When considering proposals for telecommunications or other ICT equipment, the Council will consider the operational requirements of telecommunications networks. It will be a condition of any approval given that any telecommunication apparatus and associated structures that subsequently become redundant will be permanently removed from the site and that land will be reinstated to its former condition or in accordance with details to be previously agreed with the Council.

Explanation:

6.2.2.1 There has been a huge expansion in telecommunications and computing in recent years. Mobile communications are now an integral part of everyday life and crucial to the success of most business operations. With the emergence of new services such as fourth generation services and the expansion of internet capable devices, there is likely to be a very large increase in demand for bandwidth, whether this is supplied via copper/fibre optic cables, WiFi or mobile networks.

6.2.2.2 The Plan cannot predict the future of technology, although it is relatively certain that technological changes will happen quickly. However, it is important that the planning process is proactive in supporting and encouraging ICT networks to maximise their economic and social benefits.

6.3 Aspiration 3: Protect and enhance a superb environment

6.3.1 Countryside, coast and greenspace



Policy C1 Countryside and the rural economy

In the open countryside, away from existing settlements, and in rural areas surrounding the three towns of Torbay, development will be resisted where this would lead to the loss of open countryside or creation of urban sprawl, or where it would encourage the merging of urban areas and surrounding settlements to the detriment of their special rural character and setting.

Major new development should focus on Future Growth Areas in the Strategic Delivery Areas set out in the Key Diagram, consistent with the ambition and policies of the Local Plan. Otherwise, development outside the main urban areas and Strategic Delivery Areas will normally only be permitted within the established boundaries of villages and hamlets, provided that it is of an appropriate modest scale and consistent with relevant Local Plan Policies, including those relating to landscape, recreation, biodiversity, design and conservation. Suitable infill development, refurbishments and conversions will be permitted within these settlements in order to meet the day-to-day needs of local communities, to promote the retention and development of local services and to help maintain their sustainability. Village Envelopes in Maidencombe and Churston/Galmpton are defined on the Policies Map.

Outside settlement boundaries, the following forms of development may be permitted, provided that the rural and landscape character, wildlife habitats, green corridors and historic features are not adversely affected and necessary mitigation measures are carried out to minimise any harm to the environment:

1. New homes for which there is a proven agricultural need, or self-build affordable housing where acceptable under Policy H3;
2. Development required for forestry, horticulture or agriculture;
3. Touring caravans and tents;
4. Tourist facilities appropriate to the rural area;
5. Development associated with outdoor sport and recreation appropriate in a rural area;
6. Sensitive conversion, alteration and extension of existing buildings;
7. Essential improvements to the highway network; and
8. Appropriate renewable energy development.

Where new development proposals come forward, the Council will also have regard to the need to protect, conserve or enhance the distinctive landscape characteristics and visual quality of a particular location, as identified in the Torbay Landscape Character Assessment, the suitability of development and the capacity of the countryside to accommodate change. Development in the countryside should not have adverse effect on the integrity of the South Hams SAC or other important habitats. It should also have regard to Policy NC1 to assess the in-combination effects of multiple developments that could affect Greater Horseshoe Bats and the integrity of the South Hams SAC, and the scope for developer contributions to mitigate the impact of increased recreational pressure on the South Hams SAC. The Countryside Area is shown on the Policies Map.

Explanation:

6.3.1.1 The open countryside of Torbay is a fundamental part of the sub-region's identity and a major component of the Bay's tourism offer. It provides amenity value and a range of recreational opportunities and is an integral part of the Bay's economy.

6.3.1.2 The Local Plan strikes a careful balance between protecting the integrity and

character of the countryside whilst allowing development that is vital to the support of sustainable communities, such as self-build schemes (see Policy H3) and the rural economy. The Countryside Area is shown on the Policies Map and has been defined for the following reasons:-

- 】 To identify the countryside around Torbay as a finite resource and to encourage its

best use;

- 】 To safeguard Torbay from further urban sprawl and maintain important green wedges;
- 】 To prevent the main urban areas of Torbay from merging with each other and neighbouring settlements;
- 】 To preserve the special character of the towns and villages within Torbay's overall landscape setting;
- 】 To recognise the need to adapt to changing demands in the countryside around Torbay and priorities for development;
- 】 To concentrate building development within the urban area and prevent the unnecessary spread of inappropriate uses into the countryside; and
- 】 To maintain a connected network of landscape features set out in the Torbay Green Infrastructure Delivery Plan (2011).

6.3.1.3 Different towns and urban areas in Torbay have very distinct identities that should be protected and wherever possible enhanced. Strategic green wedges are important to prevent urban coalescence and retain the valuable landscape setting that is characteristic of Torbay's urban areas. Policy SS8 will also be relevant to any proposed development in the Countryside Area as about a quarter of this Area is also overlaid by the nationally important AONB, and 40% is designated as undeveloped coast (Policy C2).

6.3.1.4 Areas of undeveloped countryside, country parks and green space are important wildlife corridors and green infrastructure assets that connect adjacent urban communities to the wider countryside (see Policy SS9). They also provide a range of social, environmental and amenity functions including flood alleviation (Policy ER1) and should therefore be retained for these purposes. Due to the strategic importance of these areas there will be a presumption

against any development that would undermine their current role or character.

6.3.1.5 Importantly, the Local Plan provides a strategic planning policy framework to address both the need to support the rural economy and the need to guide development in rural areas of Torbay and the smaller settlements located in the countryside.

6.3.1.6 The Local Plan supports the rural economy by taking a positive approach to sensitive and sustainable new economic growth in the countryside. Developments should be consistent in their siting, orientation, scale, use, design, materials, landscaping and boundary treatment with their rural location. The impact on tranquillity and dark skies will also be considered where appropriate and reflected in the choice of lighting solutions to minimise the impact of light pollution, particularly on Greater Horseshoe Bats (see Policy SS8) and other wildlife. Within these parameters, the Plan also supports sustainable rural recreation, leisure and tourism developments that respect the character of the countryside.

6.3.1.7 It is important that agriculture and the rural economy are able to thrive and that the Plan is responsive to changing social and economic circumstances. The Plan provides opportunities for agriculture to become more competitive and diverse, and in addition to promote environmental aims (whilst protecting the best and most versatile agricultural land – see Policy SC4). The aim of the Local Plan is to facilitate sustainable development that supports traditional land-based activities and maximises new leisure and tourism opportunities requiring a countryside location. The Council therefore supports the growth of business enterprise in the countryside and the development and diversification of agricultural and related rural businesses, through

the conversion of existing buildings and construction of well-designed appropriately located new buildings.

6.3.1.8 The rural areas surrounding the built-up areas of Torquay, Paignton and Brixham are an important asset for Torbay. Many of these areas are of high landscape and biodiversity value, and of great visual and historic importance to residents and visitors alike. There is also an established rural economy in these locations that is subject to continual pressure for change. Within these areas there are also several villages and hamlets that are part of Torbay.

6.3.1.9 Proposals for development will be considered in the context of the Torbay Landscape Character Assessment (2010). This identifies areas of distinctive character and key characteristics to protect, conserve or enhance to help maintain those features which contribute to that distinctive character. It also describes the sensitivity of the landscape to change and potential mitigation and management strategies. The related Brixham Urban Fringe Study uses the LCA as the basis for a more detailed analysis of landscape compartments in the South Devon AONB surrounding Brixham, providing recommendations for conserving, maintaining and enhancing the integrity of the various designations.

6.3.1.10 Whilst significant levels of

development are not envisaged for existing rural settlements, small scale development, refurbishments and conversions may be required in order to meet the needs of local communities (including infill housing schemes, meeting places, local shops and pubs) to help maintain their sustainability. Self-build and Community Right to Build Schemes may offer opportunities to meet identified local needs. The Local Plan will support such development within the designated Village Envelopes in Maidencombe and Churston/Galmpton, and the established boundaries of smaller hamlets, provided that it is at an appropriate scale and consistent with landscape policies.

6.3.1.11 Major development in the countryside is planned only for specific Strategic Delivery Areas (see Policy SS1, and Policies SDT1 to SDT4, SDP1 to SDP4 and SDB1 to SDB3). Any such development will be carefully coordinated through masterplans or concept plans, in liaison with local communities in the context of neighbourhood plans.

6.3.1.12 Forthcoming neighbourhood plans may add detail to this Policy concerning Village Envelopes, consistent with their ability to shape and direct sustainable development in their area, as set out in the NPPF. This could include amending the boundaries and/or further defining the nature of development which is acceptable.

Policy C2 The coastal landscape

The undeveloped coast:

The Council and partnership organisations will conserve the character of the undeveloped coast and seek to enhance its distinctive landscape, seascape, biodiversity, geological, recreational and cultural value. Development will not be permitted in the undeveloped coastal area unless proposals satisfy the following requirements:

1. Maintain the unspoilt character of the coastline, coastal landscape and seascape;
2. Maintain or improve public access for recreation; and
3. Provide sensitively designed development, including tourism uses, where there are clear economic or sustainability benefits that cannot be realised in alternative locations.

Development outside the undeveloped coast which may harm the intrinsic character of the area will be assessed with regard to visual impact.

The undeveloped coast is shown on the Policies Map.

The developed coast:

In the developed areas of coast, development will be permitted where it provides benefit to Torbay's economy and does not unacceptably harm the landscape character and appearance of natural, historic or geological assets.

Explanation:

6.3.1.13 Policy C2 deals with landscape and related matters to do with the coast. Policy C3 below addresses issues such as shoreline management, flooding and land stability which are associated with development in coastal areas.

6.3.1.14 The mean low water mark defines the limits within which Torbay Council has a statutory power to control the development and use of land. The coast is significant from an environmental, economic and social perspective and adds greatly to the quality of life for Torbay's residents. The scenic beauty, natural setting and seascape underpin Torbay's popularity as a place to live, work and visit and so it is important to protect the intrinsic landscape character of the undeveloped coast for its own sake, and as a significant, finite resource. The quality of life and distinctive local identity is enhanced by a large number of accessible award-winning bathing beaches and three harbours, which form an important recreational and amenity resource. The South West Coast Path extends

along Torbay's coastline, providing an attractive environment for walking and is a popular tourist draw (see also Policies SS6 and SS9).

6.3.1.15 It is important that the qualities of the coastline are conserved for future generations, in particular the important areas of undeveloped coastline which extend landward to include areas that maintain a coastal character, and are within the visual envelope to and from the seaward side. Developments will only be permitted along the undeveloped coast to provide facilities for activities appropriate to the location, such as low-key rural tourism or recreation uses, where their introduction does not harm the scenic qualities and prevailing character, and any built development is kept to a minimum.

6.3.1.16 Consideration should be given to whether there are alternative locations where the development could feasibly be located, away from the undeveloped coast. The Torbay Landscape Character Assessment (2010)(LCA) identifies a number

of coastal landscape character types which incorporate the majority of the land within the undeveloped coast. The LCA should be used (in combination with any seascape analysis) as a basis for assessing the character and sensitivity of the area and its ability to accommodate new development. This will include parts of the developed coast where the LCA has identified 'undeveloped' maritime cliffs, coastal plateau and low lying beaches.

6.3.1.17 The majority of new development along the coast, therefore, will be focussed on the existing developed area. Due to the limited supply of land, acceptable forms of development will be either buildings or structures for the few activities that require a coastal location, such as water-based recreation or boat repairing (see also Policy TO3). However, schemes that provide significant regenerative benefits for Torbay's economy, such as the provision of major new tourist facilities, will be supported, subject to the criteria set out in this Policy. The impact of development especially at the coastal edge of the developed area will require careful consideration. Access points serving buildings or activities dependent on a coastal location will be safeguarded from development. Where appropriate, the improvement of public access to and along the coast will form an integral part of any proposals especially in relation the maintenance or provision of a continuous route around the coast (Marine and Coastal Access Act 2009).

6.3.1.18 The coastline looks out onto the waters of Tor Bay which are a part of the Lyme Bay and Torbay candidate Marine Special Area of Conservation (the designation does not include the working harbours, but does include underwater features) and a Marine Conservation Zone. This means that the potential effect of any new development should be considered to ensure there is not

unacceptable damage to important habitats and species (for example, from run-off). An Appropriate Assessment will be required where a proposed development is likely to significantly affect the SAC.

6.3.1.19 Applicants should have regard to relevant marine planning documents, including the Tor Bay Harbour Authority Port Masterplan (2013) and coastal character assessments, where appropriate.



Policy C3 Coastal change management

The Council will support measures that are compatible with or actively support coastal change management. The Coastal Change Management Area is shown on the Policies Map.

Development in this Area, or reliant upon services within it, will be considered in the context of the Shoreline Management Plan and should meet the following criteria:

1. It does not adversely affect the natural and historic environment of the area, including geodiversity, maritime archaeology, marine ecology and the integrity of sites protected under European legislation;
2. It is appropriate for a coastal location and would not adversely affect or conflict with those aspects of the local economy which are dependent on the sea and a coastal location;
3. It will be safe through its planned lifetime without increasing risk to people or property and does not create a need for significant further coastal protection and sea defence works in undeveloped or developed coastal locations, or inhibit the ability to access, maintain and/or improve existing sea defence or coastal management assets;
4. It does not adversely affect sites or areas at risk from flooding, erosion and land instability arising from maritime influences;
5. In the exceptional circumstances where the proposal requires a coastal location, the developed coast will be the preferred area for development, provided that such schemes contribute to its physical regeneration and environmental enhancement; and
6. It is compatible with the character and landscape protection policies affecting the coast, does not compromise coastal routes and where practical enhances public access.

Temporary planning permissions and time-limiting conditions will be used where necessary, including to secure removal of development prior to the anticipated impact of coastal change.

S106 Planning Obligations will be required from development in areas where coastal defences need to be provided and/or maintained to facilitate development.

Explanation:

6.3.1.20 The amount of natural change occurring for any one length of coast depends on its degree of exposure to the sea and the underlying geology. Development adjacent to the coast may be at risk of landfalls, coastal recession and flood risk (Policy ER1 applies) which could pose a risk to buildings and their occupants, either now or during the lifetime of the development. Development will not be permitted where it endangers life, or requires costly preventative measures to stabilise land or property over its anticipated lifetime.

6.3.1.21 The Coastal Change Management Area incorporates the findings of the South Devon and Dorset Shoreline Management Plan (2011) (SMP2). It provides a vital tool in the planning and management of coastal erosion and flooding in short term (20 year), medium term (50 year) and long term (100 year) tranches. SMP2 advocates the continued protection of the existing developed area, which is already defended, in recognition of its social and economic value – referred to as ‘holding the line’. There are no proposals to extend the area already defended. Where areas are undefended, the SMP supports the continued natural evolution of the coastline with ‘no active intervention.’ The ‘managed realignment’ of the coast in the Goodrington Sands North and Broadsands areas is identified as a means of retaining a naturally functioning beach, in the event of sea level rise.

6.3.1.22 Where development depends on maintenance of the sea defences, contributions towards the continuation of these may be required. When coastal change is expected, a Flood Risk Vulnerability Assessment may be needed and it is likely that permanent residential development will not be appropriate. The LPA may seek opportunities to relocate and roll back vulnerable built development in these areas, whilst maintaining coastal routes. Proposals on

land outside the Coastal Change Management Area that rely on the development of necessary supporting services (such as access roads) within the Area must have regard to the Policy criteria above.

6.3.1.23 As such, the key material considerations for development on the coast include:

- 】 The impact of the development on landscape and views;
- 】 The impact of the proposals on ecology and land stability;
- 】 The ability of the development to preserve or enhance public access;
- 】 The Shoreline Management Plan, the Sea Torbay Coastal Zone Management Plan, the Tor Bay Harbour and Maritime Strategy, the Tor Bay Harbour Authority Port Masterplan, South Inshore and Offshore Marine Plans (Marine Management Organisation) and any related Integrated Coastal Zone Management Plan;
- 】 Sea defence, flood risk and erosion including the safeguarding of development and habitats, including corridors; and
- 】 Some marine works will require a marine licence and/or an Environmental Impact Assessment, as covered in Policy TO3. Early engagement with the Marine Management Organisation (MMO) and Natural England is advised.



Policy C4 Trees, hedgerows and natural landscape features

Development will not be permitted when it would seriously harm, either directly or indirectly, protected or veteran trees, hedgerows, ancient woodlands or other natural features of significant landscape, historic or nature conservation value.

Where the loss of, or impact on trees, hedgerows or landscape features is considered acceptable as part of development, replacement and other mitigation measures will be required through planning condition or legal agreement. These measures should at least off-set any such harm, and preferably achieve landscape and biodiversity improvements, and make provision for on-going management.

Development proposals should seek to retain and protect existing hedgerows, trees and natural landscape features wherever possible, particularly where they serve an important biodiversity role.

Proposals for new trees and woodlands will be supported in principle and will be a specific requirement of proposals in Strategic Delivery Areas and related Future Growth Areas.

Explanation:

6.3.1.24 Woodlands, trees and hedgerows can form important landscape features as well as providing valuable habitats and wildlife corridors.

6.3.1.25 Woodlands, and particularly ancient woodlands (those dating from about 1600) form traditional elements of the countryside, or important islands of green natural habitat within Torbay's urban areas. Such sites have developed a wide diversity of species and habitats through time. Once lost, this part of our heritage cannot be replaced. Two ancient woodlands (designated by Natural England) have been identified in Torbay, at Rams Hill Copse and Clennon Hill in Paignton. It is considered there may be other areas of woodland worthy of designation, expansion and protection.

6.3.1.26 Hedgerows, many of which are of traditional Devon Bank construction, are important elements within the landscape of Torbay. They can function as wildlife corridors linking wildlife sites. Hedges can also form very ancient land boundaries and may preserve historically important artifacts. It has been estimated that in any given 30 metre stretch of hedgerow, each shrub species represents one hundred years. A quarter of Devon's hedges are more than 800 years old. For these reasons, it is important that significant hedgerows are retained and their appropriate retention will be secured by planning conditions.

6.3.1.27 Established hedges have substantially more historic and environmental value than new hedges, which take time to mature and do not reflect historic enclosure patterns. Therefore existing hedges should be retained wherever possible. This is particularly important where they form part

of the Greater Horseshoe Bat corridors identified in Policy SS8. Maintenance of hedgerows may be essential to maintain the integrity of the South Hams SAC and must be considered at an early stage of the planning process, in accordance with Policies SS8 'Natural environment' and NC1 'Biodiversity and geodiversity'.

6.3.1.28 Trees have a considerable environmental value and are particularly important in urban areas. Not only are they aesthetically pleasing in themselves but they can soften development, improve the environmental quality of our streets and provide a green framework to our towns. They can be important, both individually and in groups. In parts of Torbay, there are whole areas where trees are largely responsible for the character of the environment.

6.3.1.29 Whilst orchards are often not protected by Tree Preservation Orders (TPOs), and permission is not needed to prune trees grown for the production of fruit, orchards can nevertheless serve a valuable green infrastructure and local heritage role as well as being an excellent form of sustainable food production. Traditional orchards are a priority habitat under Section 41 of the Natural England and Rural Communities Act 2006. The Authority has a duty to conserve and enhance priority habitats when undertaking their functions. On this basis, proposals affecting orchards will be considered on the basis of Policies SS9, C4 and SC4.

6.3.1.30 Many people are less enthusiastic about trees close to their property, where they may be seen as obstructing views and taking away light, as well as causing maintenance problems and sometimes danger. Development may not be permitted if it is essentially incompatible with the retention

of trees. Proposals affecting trees will be carefully considered to ensure trees which are to remain do not cause unreasonable inconvenience to future occupiers.

6.3.1.31 By its very nature, the carrying out of development work can cause damage to tree roots by compaction and excavation. In determining planning applications, it will be necessary to ensure that construction is not carried out in close proximity to trees in such a manner as to cause damage.

6.3.1.32 Trees will be protected by imposing conditions on planning consents for development. These can specify measures to be taken to protect trees during and after the building process. Such conditions will be used whenever trees of amenity value are adjacent to development. New tree planting should seek to enhance existing, create new habitats or provide shelter belts.

6.3.1.33 TPOs may also be used to safeguard the amenity value of trees and to prevent them from being felled. They can be made on individual trees, groups of trees or on whole areas. Torbay has a rich legacy of trees, many of which are protected by Tree Preservation Orders. Similar protection applies to trees in conservation areas where there will generally be a presumption against felling such trees unless there are sound reasons for doing so. Additional information on tree coverage and management can be found in the document entitled Tree Woodland Framework for Torbay (2013), as well as in 'Protected Trees - Frequently Asked Questions (2012) and Tree Management and Protection - Frequently Asked Questions (2014), produced by Torbay Council.

Policy C5 Urban Landscape Protection Areas

Development within Urban Landscape Protection Areas (ULPAs), as shown on the Policies Map, will only be permitted where:

1. It does not undermine the value of the ULPA as an open or landscaped feature within the urban area; and
2. It makes a positive contribution to the urban environment and enhances the landscape character of the ULPA.

Designated Urban Landscape Protection Areas are as follows :

ULPA No.	ULPA Name
Torquay	
01	Watcombe Park and Watcombe Heights
02	Steps Cross, Watcombe
03	Mincent Hill, Barton
04	Clennon Lane, Barton

05	Scotts Bridge/Barton
06	Riviera Way Corridor
07	Lummaton Hill, Combe Pafford
08	Hele Woods/Windmill Hill Woods
09	Daison Woods
10	St. Marychurch Road (formerly Oddicombe Downs)
11	Babbacombe Downs
12	Cary Park
13	Markham Plantation and Sherwell Valley
14	Shiphay Manor (Girls' Grammar School)
15	Rowcroft/Shiphay Plantation
16	Chapel Hill, Torre
17	Stantaway Hill, Upton
18	Grange Road/Warberry Copse
19	The Quinta
20	Lydwell Road
21	Palace Hotel Grounds (North)
22	Palace Hotel Grounds (South)
23	Ansteys Playing Field
24	Ilsham Valley/Lincombe Slopes
25	Torwood Gardens
26	Daddyhole Plain
27	St. Johns Wood, Park Hill
28	Stentiford Hill
29	Torre Abbey Meadows and Sports Grounds
30	Sherwell Park
31	Ashfield Gardens
32	St. Matthew's Field
Paignton	
33	Preston Green
34	Parkfield
35	Paignton Green North
36	Paignton Green South
37	Queen's Park
38	Victoria Park

39	Paignton Cemetery and allotments
40	Monastery, Winner Hill
41	Primley Woods and Meadow to south
42	Goodrington Park/Roundham
43	Quay West Corner
44	Clennon Hill/Roselands Valley
45	Sugar Loaf Hill
46	Waterside, Goodrington
Brixham	
47	Tor Rocks, Broadsands
48	Galmpton Warborough
49	Brunel Woods, Galmpton
50	Battery Grounds
51	Shoalstone and Ashole Woods
52	Furzeham Recreation Ground
53	Parkham Field
54	Brixham Community College Playing Fields
55	Astley Park and Playing Fields
56	St. Mary's Churchyard and Park
57	Summercombe

Explanation:

6.3.1.34 These enclaves of special landscape quality set in or bordering the urban areas (some of which also skirt the coastal fringe) vary in size and make a considerable contribution to the environment in a variety of ways. Taken as a whole these protected urban landscape areas form a valuable part of Torbay's green infrastructure (see Policy SS9) and help ensure a healthy Bay (see Policy SC1).

6.3.1.35 Some act as local vantage points, some as amenity open space, some as green spaces that provide a natural and visual break within the local (urban) townscape and others

as landmarks in the local scene. In some cases they perform all four roles. Designated ULPAs include both publicly owned/publicly accessible and privately owned/non-accessible sites. Some ULPAs are also of ecological significance. In early 2013, a detailed Review of Urban Landscape Protection Areas was carried out by Torbay Council. The purpose of this study was to re-assess the suitability of existing ULPAs against relevant criteria and to consider whether any boundary changes were needed, whether new ULPAs were justified, and whether or not any deletions or reclassifications were needed. Policy C5 reflects the findings and recommendations of this study.

6.3.1.36 It is important therefore that priority is given to protecting the essential landscape features of these areas, to ensure that their contribution to the landscape of the urban area is protected and maintained. Whilst the Policy does not necessarily preclude all development in these locations, it will be necessary to demonstrate that the quality of these areas is retained if it were to take place. In appropriate cases, the Council will consider the preparation of management plans to safeguard and improve such areas. Part of the Riviera Way Corridor ULPA is also identified as an area

of search for a rail halt. The Council will seek to minimise any impact on the ULPA, whilst recognising that Network Rail's operational and safety standards must be met.

6.3.1.37 Some of these areas may qualify for designation as Local Green Space through the neighbourhood planning process, subject to Paragraphs 76-78 of the NPPF. In addition, other green areas of special importance to local communities not identified in this Policy may be worthy of designation.



6.3.2 Nature conservation

Policy NC1 Biodiversity and geodiversity

Development in all areas

The Local Plan seeks to conserve and enhance Torbay's biodiversity and geodiversity, through the protection and improvement of the terrestrial and marine environments and fauna and flora, commensurate to their importance. The promotion, improvement and appropriate management of Torbay's special environmental and geological qualities, and corridors between them, will be supported and will be a key element in promoting sustainable tourism and fostering pride in the area's unique environment.

Development should not result in the loss or deterioration of irreplaceable habitats or wildlife corridors. Where development in sensitive locations cannot be located elsewhere, the biodiversity and geodiversity of areas will be conserved and enhanced through planning conditions or obligations. Development proposals should minimise fragmentation, and maximise opportunities for the restoration and enhancement of natural habitats, including trees and ancient woodlands. The integrity of wildlife corridors and important features shown in the Torbay Green Infrastructure Delivery Plan (2011) should be conserved and enhanced.

All developments should positively incorporate and promote biodiversity features, proportionate to their scale. Where there is an identified residual impact on biodiversity, proposals will be expected to deliver a net gain in biodiversity through the creation or provision and management of new or existing habitats, in accordance with the Torbay Biodiversity and Geodiversity Action Plan (2007) and the Torbay Green Infrastructure Delivery Plan. If avoidance and mitigation are not sufficient, residual impacts must be off-set in a manner deemed acceptable by the Council.

Internationally important sites and species

Internationally important sites and species will be protected. Avoidance of likely significant effects should be the first option. Development likely to affect an international site will be subject to assessment under the Habitat Regulations and will not be permitted unless adverse effects can be fully mitigated.

In addition, development likely to have a significant effect on the integrity of the South Hams SAC will be required to provide biodiversity conservation measures that contribute to the overall enhancement of Greater Horseshoe Bat habitats.

Development around the edge of the built-up area that is within the Berry Head SAC Sustainment Zone or likely to affect strategic flyways of Greater Horseshoe Bats will as appropriate be required to protect existing hedgerows (including remnant hedges and veteran trees) that surveys show are being used as bat flyways. Such development will also enhance the existing flyways by providing features (such as linear corridors of hedgerows) to maintain and improve the ecological coherence of the landscape, necessary to maintain the Torbay population of Greater Horseshoe Bats in 'favourable conservation status'. This will include maintaining lighting levels at 0.5 lux.

Developer contributions will be sought from development within the Brixham Peninsula (Policy SDB1) towards measures needed to manage increased recreational pressure on the South Hams SAC resulting from increased housing numbers or visitor pressure.

Nationally important sites and species

Development on or likely to have an adverse effect on nationally important sites such as Sites of Special Scientific Interest will not normally be permitted. Such proposals will only be permitted in exceptional circumstances where the following can be met:

- i) The benefits from development outweigh the impacts on the site and broader nature conservation interests; and
- ii) Nature conservation impacts can be fully mitigated/compensated.

Consideration should be had to the cumulative impacts of developments. Development likely to cause harm to such sites or species that cannot be mitigated as above will therefore only be permitted where there is an overriding public interest considered to outweigh the impact(s) on nature conservation, where a thorough assessment of impacts (both individually and in combination with other developments) has been undertaken, and where consideration has been given to reasonable alternative sites for development.

Development that risks harm to Cirl Bunting habitats and territories will only be permitted where the benefits of development clearly outweigh the impacts, including in combination effects, and the impacts can be mitigated in full. Developers will be expected to provide mitigation on site, where practicable.

Locally important sites and species

Development in locally important sites will only be permitted where there are no reasonable alternative sites, where the reasons for development clearly outweigh damage to nature conservation interests, where every effort has been made to minimise any such damage, and where appropriate mitigation and compensation measures can be put in place.

Explanation:

Biodiversity

6.3.2.1 The NPPF requires local plans to identify and map sites of international, national and local importance and to avoid harm where possible, followed by mitigation of impacts, and then compensation for harm as a last resort. Where harm involves protected species of European significance, it must be noted that compensation can only be considered where it can be shown that the development proposal is in the national interest. Torbay has fauna and flora of international importance. The South Hams Special Area of Conservation is an archipelago Special Area of Conservation (SAC) that covers Berry Head and other sites within the South Devon area. The SAC is designated for its important habitats (particularly dry heaths, semi-natural dry grasslands and scrubland associations on

calcareous substrates) and helps to support one of the largest populations in the country of the Greater Horseshoe Bat, one of Britain's rarest and largest bats.

6.3.2.2 The habitats of the SAC are susceptible to degradation through scrub invasion, erosion by walkers and eutrophication through dog fouling. The Council/TCCT have an existing responsibility to manage land in its ownership under the 2006 Natural Environment and Rural Communities Act.

6.3.2.3 A report by Footprint Ecology, *Recreational Impacts on Berry Head – Additional HRA Work for the Torbay Local Plan* (2014), identified that there is evidence to suggest that additional impacts on the Berry Head to Sharkham Point component of the SAC, arising from the level of growth proposed

by the Local Plan, are a realistic possibility. The data available suggests that there is a zone of influence of approximately 5 kilometres driving distance (roughly equal to Policy area SDB1, Brixham Peninsula). The report concluded that the possibility of significant effects cannot be ruled out and mitigation measures will be necessary. The potential mitigation measures identified include:

- (i) Habitat management required to increase the resilience of the site over and above that already required to maintain the interest features of the site; and
- (ii) Increased visitor engagement work.

6.3.2.4 Further work will be undertaken by the Council, and associated stakeholders, to further develop and provide estimated costs for the potential mitigation measures identified by the Footprint Ecology report to mitigate increased recreational pressure on the South Hams SAC within the SDB1 Policy area. The Council will produce a Supplementary Planning Document to set out the evidence base, proposed zone of influence, mitigation costs and approach for securing developer contributions.

6.3.2.5 Development within the Brixham Peninsula (Policy SDB1) will be assessed, proportionate to the scale and nature of the proposal, to determine whether there is potential to cause additional recreational impact. Where potential impacts are identified, appropriate mitigation will be required to ensure that there will be no adverse impact on the South Hams SAC. Mitigation is likely to include habitat management and visitor engagement work.

6.3.2.6 Appropriate land management practices must ensure flight paths for bats are maintained and that there is suitable provision

for their activity, including foraging, roosting and mating. SAC elements in the wider countryside need to be protected, such as a range of feeding sites, to ensure population numbers of the bat population are sustained and to maintain 'favourable conservation status' of the species. The presumption in favour of sustainable development (NPPF, Paragraph 14) does not apply where an Appropriate Assessment is required. Land required for compensatory measures for European sites will be given the same protection as the sites themselves.

6.3.2.7 In relation to Greater Horseshoe Bats, Policy SS8 is consistent with Regulation 39 of the Habitat and Species Regulations (2010) and with Natural England's High Level Conservation Objectives for the South Hams SAC. It aims to maintain the Greater Horseshoe Bat population at favourable conservation status, which is a requirement of the South Hams SAC conservation objectives. Favourable conservation status is defined in the EU Habitats Directive (1992). The criteria in Paragraph 3 of Policy NC1 are intended to address and mitigate the in-combination effects of development. Natural England has produced the South Hams SAC Greater Horseshoe Bat Consultation Zone Planning Guidance and Map. This Guidance should be followed where a proposed development is located within a Greater Horseshoe Bat sustenance zone or strategic flyway as identified within the Guidance. This includes the requirement for full bat surveys to be carried out between April and October.

6.3.2.8 Additional guidance has now been prepared by Kestrel Wildlife Ltd, entitled 'Strategic Mitigation Strategy for the South Hams Greater Horseshoe Bat SAC', on behalf of the five South Hams SAC local planning authorities. Certain developments (such as building mounted wind turbines) which

normally proceed as permitted development may require the LPA and Natural England to ascertain if the integrity of the SAC may be adversely affected.

6.3.2.9 Further additional evidence for the Local Plan has been prepared by Kestrel Wildlife Ltd, specifically to advise on the implementation of the Local Plan HRA Site Appraisal Report. This provides guidance on likely favourable buffers, and account should be had to this guidance in the implementation of Policy NC1, in particular the need to ensure the following:

- 】 The maintenance of Greater Horseshoe Bat habitat connectivity across the landscape;
- 】 The provision of adequate foraging habitat;
- 】 The provision, where appropriate, of adequate permeability through built development following existing and new flight paths; and
- 】 The provision of new bespoke roosts where they will provide ‘stepping stones’ across the landscape.

6.3.2.10 The Council and its partner agencies such as the Torbay Coast and Countryside Trust will monitor and review likely in-combination effects of multiple developments to ensure that the favourable conservation status of Greater Horseshoe Bats and the integrity of habitats are not harmed, particularly the South Hams SAC. Where appropriate, developer contributions will be sought towards the management and mitigation of these effects.

6.3.2.11 Lines of vegetation, such as hedgerows, help bats navigate the landscape and should be protected. Negative light impacts should also be avoided. As already noted, the Local Plan seeks to maintain and enhance a bat friendly corridor around the rural edge to link roosts and foraging areas

within the South Hams SAC. Berry Head hosts numerous bat roosts and foraging areas and is also part of a National Nature Reserve. There are also 12 Sites of Special Scientific Interest (SSSIs), 3 Local Nature Reserves, and over 80 Local or County Wildlife Sites within Torbay.

6.3.2.12 Torbay has both European and UK protected species and also UK priority habitats and species. Torbay has one of the largest populations of Cirl Buntings in the UK. They are one of Britain’s most endangered song-birds. However, targeted protection and management has achieved increases in the numbers of Cirl Buntings. Guidance on this species has been produced by Devon County Council in collaboration with RSPB (November 2014). Development should safeguard Cirl Bunting habitats, either directly or by contributing to offsetting by provision of receptor habitats.

6.3.2.13 Torbay also has populations of bat species, reptiles, seabirds and seahorses. These are protected under non-planning legislation including the EU Habitats Regulations, the Wildlife and Countryside Act 1981 or local protection frameworks, such as County Wildlife Sites. Torbay also has several areas of ancient woodland that form an irreplaceable biodiversity resource both for its diversity of species and for its longevity as woodland. Veteran or aged trees outside ancient woodland are also particularly valuable. Irreplaceable habitats should be protected; to be acceptable, development would clearly need to outweigh any harm.

6.3.2.14 The Torbay Biodiversity and Geodiversity Action Plan (2007) sets out key objectives and actions for protecting and enhancing priority habitats and species. Regard should be had to these when considering biodiversity offsetting.

Supplementary Planning Guidance will be produced to set out how biodiversity offsetting will operate, and where appropriate how planning contributions towards biodiversity will be used.

6.3.2.15 Locally important sites include locally designated wildlife or geological sites of regional or countywide significance, local wildlife sites, local nature reserves and sensitive intertidal habitats. It is vital to ensure habitats are conserved and enhanced as an important part of the development process. Developments should also consider the integrity of the Rural and Urban Wildlife Corridors identified in the Torbay Green Infrastructure Delivery Plan (2011).

6.3.2.16 Torbay has a very rich marine environment and is one of 28 Sensitive Marine Areas in England. The coastal waters are designated as Lyme Bay and Torbay Candidate Marine Special Area of Conservation (SAC). They host a number of reefs and sea caves, supporting a variety of marine life. Torbay has also been designated a Marine Conservation Zone (MCZ) (November 2013) between Oddicombe Beach and Sharkham Point, protecting nine different marine habitats which includes the intertidal area. The Local Plan requires development to minimise the impact on sewer outfalls, particularly at Hopes Nose, Torquay. In particular the provision of sustainable urban drainage and water-sensitive urban design is promoted by Policies ER1 'Flood risk', ER2 'Water management' and W5 'Waste water disposal'.

6.3.2.17 The Council will seek to improve the net biodiversity and geodiversity value of Torbay, including increasing the number and proportion of Local Wildlife Sites (CWS and RIGS) in 'positive management'. This could include enhancing the status of Proposed

and Unconfirmed Wildlife Sites (UWS). Development should therefore be located to minimise its impact on biodiversity. There will be instances where development has a knock-on impact on habitats. Mitigation and/or compensation will be necessary to ensure that a net gain in biodiversity is achieved. This may include offsetting unavoidable impacts as a last resort of the mitigation hierarchy. Measures such as strengthening of flight paths, corridors, appropriate planting of biodiversity-rich species, the creation of habitats and biodiversity management programmes will be required through planning condition or s106 Planning Obligations. Biodiversity impact is an on-site acceptability matter and cannot be avoided to assist scheme viability.

6.3.2.18 New development should maximise opportunities to create features for wildlife through landscaping and design; this may include artificial bird nesting and bat roosting sites/boxes where appropriate.

6.3.2.19 A schedule of Torbay's SSSIs, National Nature Reserves and Local Sites of Wildlife and Geological Interest is set out in Appendix D. The Council supports the RSPB's aspiration for an average provision of one new bird or bat box per new dwelling. Supplementary guidance will be produced on maximizing opportunities for wildlife features in design and landscaping.

Geodiversity

6.3.2.20 Torbay's great importance goes back to the Middle Devonian Period (395-345 million years ago) and it is recognised as the World's first urban area to become a UNESCO endorsed Global Geopark. This was awarded in 2007 in recognition of its rich geological, historical and cultural heritage. The English Riviera Global Geopark is one of just 87 Geoparks around the world. The

Geopark status aims to protect geodiversity and to promote geological heritage to the general public, as well as to support sustainable economic development of the area, primarily through the development of geological tourism.

6.3.2.21 Torbay's designation as a Global Geopark is based upon the outstanding international importance of 32 geosites spanning a story of three geological time periods over 400 million years. In this context, Torbay has made a huge historical contribution in terms of the development of geological and archaeological sciences. Many of Torbay's geologically important sites are disused quarries that have exposed geological and fossilised features, and are designated as Sites of Special Scientific Interest (SSSIs) or Regionally Important Geological Sites (RIGS). These are listed in Appendix D. RIGS are

also identified in sections of exposed coastal cliffs in the undeveloped and developed coast (Policy C2). Torbay has a rich heritage of prehistoric artifacts including ancient tools at Kents Cavern.

6.3.2.22 The purpose of the Geopark is to explore, develop and celebrate the links between geology and the area's natural heritage. It is a driver for education, tourism, culture and regeneration. In this context, geological tourism is an important aspect of tourism which allows Torbay to benefit from its unique assets. Geopark status has to be maintained, and since designation, it has undergone rapid development establishing itself as a leading member within the Global Geopark network. Development affecting geological sites of interest should retain, protect and provide for the appropriate management of such features.

6.3.3 Historic environment

Policy HE1 Listed buildings

Development proposals should have special regard to the desirability of preserving any listed building and its setting, or any features of special architectural or historic interest which it possesses. Proposals for the alteration or extension of any listed building will not be permitted if the character of the building would be adversely affected.

Suitable uses for listed buildings will be supported where this would help to conserve their historic fabric and character. In appropriate cases, planning policies may be applied in a flexible manner to accommodate such uses. Changes of use, demolition or development which damage the fabric or character of a listed building will not be permitted. New development should respect the significance, scale, form, orientation and architectural detailing of any listed building it affects.

Explanation:

6.3.3.1 Policy SS10 'Conservation and the historic environment' deals with historic environment matters including conservation areas and Historic Parks and Gardens.

6.3.3.2 Torbay has over 890 entries in the National Heritage List for England (NHLE), comprising over 1,000 structures and buildings. Of these, 6 are Grade I and 30 Grade II*, comprising nearly 60 structures and buildings. It is therefore likely that a significant number of proposals will arise in the Plan period that affect them. Many are also within

conservation areas. Historic buildings are an important part of the character and urban form of Torbay and as such it is important that they are maintained. Nationally, Historic England is working to remove the common misconception that listed buildings must be preserved effectively just as they are. This is not the case; their goal is positive conservation and managing change, rather than preservation. This approach allows historic buildings to change and adapt to new uses and circumstances in a way that keeps their heritage value intact and ensures their long-term maintenance and viability.

6.4 Aspiration 4: Create more sustainable communities and better places



6.4.1 Housing

Policy H1 Applications for new homes

Proposals for new homes within Strategic Delivery Areas, and elsewhere within the built-up area, will be supported subject to consistency with other Policies in this Plan.

Proposals for new homes on unallocated sites, including the renewal of existing permissions, will be assessed on the following criteria, proportionate to the scale of the proposal:

1. The need to provide a range of homes, including family homes, affordable homes, and opportunities for self-build homes, to meet the full objectively assessed needs as far as is consistent with other policies in the NPPF, Local Plan and neighbourhood plans;
2. The maintenance of a rolling 5 year supply of deliverable sites;
3. The opportunity to create mixed, balanced and prosperous communities, including employment provision, with good access to social and environmental infrastructure;
4. The creation of high quality living environments, including the protection of the amenity, recreation opportunities and access to facilities of all residents;
5. The capacity of physical, social and environmental infrastructure, including highways and sewerage, to accommodate development;
6. The objective to maximise the re-use of urban brownfield land and promote urban regeneration, whilst creating prosperous and liveable urban areas;
7. The landscape and biodiversity impacts of the proposal and the objective to achieve a net gain in biodiversity;
8. The objective to reduce the need to travel by car, whilst making appropriate arrangements for vehicle ownership; and
9. Consistency with other Policies in the Local Plan and neighbourhood plans.

Explanation:

6.4.1.1 Key development areas are identified in this Plan and will be brought forward through the local and neighbourhood planning process. Policy SS11 and SS12 set out that where there is a danger of a shortfall in provision, additional sites will be brought forward through site allocation development plan documents. However, a significant proportion of Torbay's housing supply has historically arisen on previously unidentified windfall sites. Given the emphasis on making the best use of the built up area, there are likely to be a large number of proposals for development of small windfall sites.

6.4.1.2 Policy H1 sets out a supportive

approach to maximising delivery on brownfield sites, subject to amenity, infrastructure and design issues covered elsewhere in this Plan.

6.4.1.3 Policy H1 also sets out key considerations for dealing with proposals for applications affecting unidentified land, and greenfield sites within the built-up area, including new homes in the gardens of existing dwellings. These are intended to be applied proportionately to the scale of a proposal.

6.4.1.4 In considering proposals for new development, the Council will consider the availability of physical, social and environmental infrastructure and the need

to maximise the use of brownfield land. The need to provide access to a range of social and environmental infrastructure, including employment, and to minimise the need to travel by car, will be taken into account. A balanced strategy in relation to new homes and employment will be promoted (see Policies SS1 and SS4 above). Proposals that promote a sustainable pattern of development, for example by linking in with existing infrastructure, will be supported.

6.4.1.5 Housing proposals need to have regard to other Policies in this Plan. Policy NC1 sets out natural environment considerations, with an objective of achieving a net gain in biodiversity. Countryside and landscape Policies C1 to C5 will be relevant. All new homes should create good quality living environments for both existing and new residents, in accordance with Policies SC1 to SC5 of the Plan and meet design requirements set out in Policies DE1 to DE4.

Policy H2 Affordable housing

The provision of affordable housing will be sought on greenfield sites of 3 dwellings or more, and brownfield sites of 15 dwellings or more, to meet the housing needs of local people. Affordable housing will be sought on the following sliding scale, up to 30% of dwellings on qualifying sites:

Net new dwellings/ assessed site capacity	Affordable housing target	Method of delivery
Development of Brownfield Sites		
3-5 dwellings	Zero	N/A
6-10 dwellings	Zero	N/A
11-14 dwellings	Zero	N/A
15-19 dwellings	15%	Usually through on-site provision. Commuted payments will only be accepted where this would achieve more effective provision of affordable housing, or bring significant regeneration benefits.
20+ dwellings	20%	Usually on-site. Commuted sums will only be accepted where this would achieve more effective provision of affordable housing or bring significant regeneration benefits.
Development of Greenfield Sites		
3-5 dwellings	10%	Usually through commuted payment.
6-10 dwellings	15%	Usually through commuted payment.
11-14 dwellings	20%	Usually through on-site provision. Commuted payments will only be accepted where this would achieve more effective provision of affordable housing, or bring significant regeneration benefits.

15-29 dwellings	25%	On-site. Commuted sums will only be accepted in exceptional circumstances, where this would achieve more effective provision of affordable housing or bring significant regeneration benefits.
30+ dwellings	30%	On-site. 25% affordable housing and 5% self-build plots in accordance with Policy H3.

A site's overall capacity to accommodate dwellings will be taken into account when calculating affordable housing requirement, and artificial sub-division or under-development of sites will be resisted.

Provision of affordable housing, or contributions on smaller sites, will be sought on the basis of one third social rented housing, one third affordable rent and one third shared ownership housing. An element of self-build plots will be sought on larger greenfield sites, in accordance with Policy H3.

A higher level of shared ownership/key worker housing may be agreed where this would aid economic prosperity, regeneration or promote the creation of mixed communities.

Proposals that exceed the minimum affordable housing requirements will be supported subject to other Policies in the Plan, including the need to create mixed and balanced communities and meet local needs.

Where developers wish to reduce significantly the level of affordable housing provision, an independent assessment of viability will be required, with the developer underwriting the cost of the viability assessment.

The Council may agree to a reduced scale of affordable housing provision on sites where early delivery is possible.

Where a contribution is agreed in lieu of on-site provision, it should reflect the cost to the developer of providing on-site affordable housing.

In order to secure additional investment in disadvantaged areas of Torbay, the Council may agree to a reduction, or zero provision, of affordable homes on sites in those areas. Development of such sites will be expected to provide significant benefits to the creation of more sustainable, balanced communities as assessed against the criteria in Policy SS11.

Explanation:

6.4.1.6 There is a pressing need for affordable housing in Torbay to meet the needs of local people who are unable to afford open market house prices or rents.

6.4.1.7 Torbay has relatively few large sites that can be developed and a large proportion of its housing supply has historically arisen

from small sites. Accordingly, the Council will seek an element of affordable housing on greenfield sites of 3 or more dwellings. The Council will have regard to any minimum threshold that may be set by Government.

6.4.1.8 The definition of affordable housing for planning purposes is set out in Annex 2 of the NPPF, which is reproduced in the

Glossary to the Local Plan (Appendix A).

6.4.1.9 Affordable housing should be provided on-site where practicable. Developments should be 'tenure neutral' as far as practicable, so that affordable housing is not distinguishable from market housing by layout, design or materials. It is accepted that on smaller sites it may be more effective to provide an off-site contribution. The value of this contribution should be equivalent to the developer/subsidy required for on-site provision. An off-site contribution will only be accepted where there are sound planning reasons to do so. There is strong presumption in favour of on-site delivery for sites of 15 or more houses.

6.4.1.10 The need to create mixed, prosperous and balanced communities will be taken into account in considering all proposals, particularly where there is a requirement to provide affordable housing. Proposals for financial or other contributions, in lieu of affordable homes on site, will need to show that this will achieve positive outcomes in terms of reducing deprivation and social exclusion. Alternative methods of on-site provision of affordable housing and affordable home ownership, such as Community Land Trusts and self-build housing (see also Policy H3), will be considered favourably where they result in improved provision or greater benefit to the community.

6.4.1.11 The Council has sought to set the affordable housing rates, and brownfield threshold, at a modest level. This is intended to support the viability of development. A five year review of the Plan will reassess the affordable housing policy and thresholds in the light of their effectiveness and taking account of market circumstances at that time.

6.4.1.12 When assessing affordable housing requirements, regard will be had to the overall

site, to avoid it being subdivided or artificially developed in phases as a way of reducing the liability to affordable housing. It will be assumed as a starting point that sites are capable of providing 30 dwellings per hectare gross, although extenuating factors will be considered. Developments of apartments are likely to be capable of providing significantly higher levels than 30 dwellings per hectare.

6.4.1.13 The Council recognises that, in some instances, affordable housing provision is a matter for negotiation. This may be because of abnormal development costs, or where there is a need to vary tenure in the interest of creating mixed and balanced communities. In such instances, the Council will negotiate a greater proportion of intermediate or key worker housing in order to create a viable and sustainable development.

6.4.1.14 There is a general expectation that requirements for self-build housing will be reduced before other affordable homes as part of any negotiation process. However, regard will be had to evidence of need within the community where development arises.

6.4.1.15 Where developers seek to relax affordable housing policies for viability reasons, they will be expected to undertake an assessment of viability as a basis for negotiations. A viability assessment will be commissioned by the Council and the costs associated with its production will be recouped from the applicant. The level of assessment should be proportionate to the scale of the development. Any reduced affordable housing contributions will be subject to an early completion requirement, or deferred calculation of viability. Deferred calculation would reassess viability at the point of sale of market units. Appropriate further contributions would be made at that time, should viability improve to the extent

that the original affordable housing provision would be viable. In considering viability matters, regard will be had to best practice, particularly as set out in National Planning Practice Guidance (NPPG).

6.4.1.16 However, proposals will be resisted where the reduction in affordable housing or other community benefits would be reduced to the extent that the development would be unsustainable.

6.4.1.17 Revised supplementary planning guidance will be published on matters such as tenure mix, calculation of affordable

housing contribution, viability testing, and deferred payments arrangements.

6.4.1.18 A significant proportion of Torbay's housing needs will continue to be met by the private rented sector. The Council's Housing Strategy will set out ways to ensure high quality private rented sector accommodation, and good management standards. Institutional investment in purpose-built accommodation is one way that the Homes and Community Agency seeks to increase the supply of good quality rented housing, and the Local Plan will seek to support such proposals.

Policy H3 Self-build affordable housing and exception sites

To accommodate demand for self-build homes, the provision of at least 5% of dwelling plots for sale to self-builders will be sought as an element of affordable housing provision identified in Policy H2, on sites of 30 dwellings or more. This will be controlled by the following means:

1. The provision of serviced plots in an agreed location will be set out through a s106 Planning Obligation;
2. Where plots have been made available and marketed appropriately for at least 12 months and have not sold, the plot(s) may either remain on the open market as affordable self-build or be offered to the Council or a Housing Association for a further six months, before being disposed of by the developer as open market housing; and
3. Planning permissions should include conditions requiring self-build developments to be completed within 3 years of a self-builder purchasing a plot.

In the countryside, the development of sites for affordable self-build housing to meet the needs of the local community will be permitted, as a rural exception, where:

- (i) There is a proven need for affordable housing from households that have a strong local connection with the local community;
- (ii) The site adjoins a settlement and does not have a disproportionate impact on local environmental, landscape, or historical assets;
- (iii) The scale of provision is limited to meeting the identified local need; and
- (iv) Dwellings are subject to a planning obligation which retains all the dwellings as affordable housing in perpetuity and gives priority to occupation by those with a strong local connection with the local community.

Where appropriate, the Council will seek to ensure that self-build homes will be developed in accordance with an agreed design code.

Explanation:

6.4.1.19 Self-build housing (also known as 'custom-build') is housing built or commissioned by individuals (or groups of individuals) for their own occupation. Where provided as affordable housing, they should also meet the definition of affordable housing in Appendix A of the Local Plan and Annex 2 of the NPPF, i.e. be provided for people who cannot afford to buy or rent a house on the open market.

6.4.1.20 The Council recognises the potential benefits to the local community (lower cost market housing) and the local economy (providing work for local builders and tradesmen) of increasing the supply of self and custom-build developments within Torbay. In line with NPPF requirements, Torbay Council has made attempts to assess the demand for self-build housing within Torbay. An assessment from a leading supplier to the self-build market, indicated a 'reasonable interest' in self-build within the Torbay area with significant numbers of their customers searching for self-build plots within a 25 mile radius of Torbay and also a significant number of members currently living within the Torbay area. In the first half of 2013 there were 121 active searches for self-build opportunities within a 25 mile radius of Torbay. From April 2016, the Council is required to keep a register of persons wishing to self-build and to have regard to that register as a material planning consideration.

6.4.1.21 A significant barrier which limits opportunities for self-build developments is the availability of land. Without a policy which provides opportunities for prospective self-builders, it is unlikely that they will be able to

compete with volume house builders for sites and opportunities for self-build will be limited.

6.4.1.22 Therefore a small element of serviced self-build plots are sought from larger greenfield housing sites, subject to a cascade mechanism which would allow them to revert to general needs affordable housing or market housing, should they not be taken up by self-builders. Such plots will be subject to s106 Planning Obligations or conditions requiring their completion within a reasonable time scale and to a high standard of design.

6.4.1.23 The development of new housing in Torbay is largely limited to existing built-up areas, Future Growth Areas and Village Envelopes, subject to other policy considerations in this Plan. Development outside these areas will be generally resisted (See Policy H3). Exceptionally, this Policy permits affordable self-build housing outside these areas where there is an identified local need.

6.4.1.24 With regards to exceptions sites in the Countryside Area which this Policy supports, regard will be had to the definition of rural exceptions sites in the NPPF. This advises that such provision should support the needs of local communities by accommodating households who are either residents or who have existing family or employment connections.

6.4.1.25 Further guidance will be published on custom-build housing, either through updated affordable housing supplementary planning guidance and/or through forthcoming neighbourhood plans. This will address matters such as how long plots need

to be marketed before they may ‘cascade’ as other forms of housing – 12 months will be used as a starting point. In addition, where self-build plots are secured on rural exceptions sites or as affordable housing, planning conditions will be used to restrict occupancy to people with a local connection. The operation of this will also be addressed in guidance, as will other implementation measures such as health and safety, length of build programme and working hours.

6.4.1.26 The requirement for self-build dwellings will be kept under review as part of

the annual monitoring of housing delivery in Torbay and the five year review of the Local Plan.

6.4.1.27 As part of the requirement to provide 5% of dwellings for self-build housing on larger sites, in order effectively to ensure delivery of affordable housing under a range of circumstances, the Council will offer flexibility to developers to identify alternative models to the provision of serviced plots. This could include self-build/custom-build approaches that encompass ‘self-finish’ or ‘watertight shell’ schemes.

Policy H4 Houses in Multiple Occupation (HMOs)

The conversion of HMOs to self-contained dwellings will be encouraged and supported.

Applications for new buildings or sub-division of existing buildings into non-self-contained residential accommodation (HMOs) will only be permitted where the following criteria are met:

1. The property is located within easy reach of public transport and community facilities;
2. An acceptable standard of residential accommodation can be provided;
3. The scale and nature of the use would not harm neighbourhood amenity, for example by way of noise, general disturbance, litter, on-street parking or impact on visual amenity;
4. The proposal would not lead to an over-concentration of similar uses that could exacerbate existing social and economic deprivation or lead to a community becoming imbalanced;
5. The proposal would not adversely affect the character of holiday areas, particularly Core Tourism Investment Areas;
6. Adequate storage facilities can be provided for cycles, waste and recycling collection; and
7. There is supervision by a resident owner or manager, or an appropriate alternative level of supervision. The ongoing management will be secured through condition or s106 Planning Obligations where appropriate.

Explanation:

6.4.1.28 An HMO is a building or part of a building that is being occupied as a main residence by more than one household, i.e. unrelated people who do not live together as a family, but share some facilities such as a bathroom or kitchen. HMOs with more

than 6 occupants are ‘sui generis’ and require planning permission. Small HMOs of 4-6 people fall within Use Class C4. These require planning permission where permitted development rights to change use have been removed, for example through an Article 4 Direction.

6.4.1.29 Planning control of HMOs is separate from housing legislation. The Housing Act 2004 defines licensable HMOs as 5+ occupants living in more than 1 household in buildings of three stories or more.

6.4.1.30 Houses in multiple occupation (HMOs) can provide a useful low cost form of accommodation in an area like Torbay where below average wages and a high prevalence of seasonal work and under-employment exist. Changes to housing benefit entitlement are also expected to result in a greater demand for this type of accommodation.

6.4.1.31 However, a proliferation of houses in multiple occupation can raise concerns, particularly in deprived areas and tourism areas. The Centre for Social Justice's 'Turning the Tide' report (2013) notes that an oversupply of extremely cheap accommodation in holiday resorts can fuel a range of problems for such towns.

6.4.1.32 Torbay has about 1,450 houses in multiple occupation, of which only 83 currently fall under Housing Act 2004 Licensable standards. HMOs form 2.3% of Torbay's housing stock compared to a national rate of 1.6%. There is concern that such large numbers of HMOs, or badly managed individual properties, can worsen the levels of deprivation in the Bay, which in turn could undermine the tourism offer and impede the regeneration of the resort.

6.4.1.33 On this basis, 'sui generis' or Use Class C4 HMOs will be resisted where there are concentrations of deprivation or where a proliferation of such properties could be harmful to achieving mixed and balanced communities. As a guideline, applications for HMOs in areas that fall within the top 20% most deprived Super Output Areas (SOAs), or where HMOs constitute more than 10%

of the housing stock in a SOA or 20% in any given street, are considered unlikely to meet the tests of Policy H4 (See also Policy SS11). Exceptions may be made where they provide a particular service or bring regeneration benefits.

6.4.1.34 The Council will resist HMOs that could lead to deterioration in the living conditions of existing residents. Policy DE3 'Development amenity' also applies to HMOs. HMOs should contain adequate provision for waste and recycling, cycle storage and resident amenity space. Whilst space provision for HMOs is likely to be less than self-contained dwellings, regard should be had to standards such as the HCA's Housing Quality Indicators. These indicate an area per single bedspace of 30-35 square metres. It is reasonable that a proportion of communal lounges and kitchens, for example, should be considered as contributing to this space. Where permission is granted for HMOs, the Council will require the property to be appropriately managed, either through planning condition or s106 Planning Obligations.

6.4.1.35 The location of HMOs within Core Tourism Investment Areas will need particular scrutiny to ensure there is not a detrimental impact on the tourism character of the area. There will be an expectation that HMOs will not be approved in CTIAs and other key tourism locations, and unauthorised HMOs will be subject to enforcement action.

6.4.1.36 Policy H4 will apply to all HMOs. The Council will use these Policy criteria in considering whether to pursue enforcement action against existing unauthorised HMOs. The Policy aims to reduce the number of poor quality HMOs and to slow the growth in their number in the Bay, whilst acknowledging that well-run establishments can contribute to

meeting a need for low-cost accommodation. The Policy will be reviewed within two years, from adoption of the Local Plan, to assess its effectiveness against these aims.

6.4.1.37 Note that Policy H4 does not apply to accommodation where significant care is provided, which is dealt with in Policy H6.

Policy H5 Sites for travellers

Applications for caravan sites for travelling people, including residential sites for settled occupation, transit sites and temporary stopping places, will be assessed against the following criteria:

1. Sites will be acceptable within the built-up area, provided that their operation is not to the detriment of the visual amenities of adjoining areas, and subject to satisfactory landscaping;
2. Sites should not be to the detriment of the amenities of adjoining areas in respect of noise and other disturbance arising from the movement of vehicles to and from the site, the stationing of vehicles on the site, and any on-site business activities (which should at all times be incidental to the residential use of the site);
3. Sites should be provided with a satisfactory means of vehicular access, together with adequate provision for turning and parking;
4. Sites should be provided with an appropriate level of essential services including access to drinking water, refuse collection and sewage disposal;
5. Sites should be located within reasonable distance of local services and facilities (e.g. shops, schools and hospitals);
6. Temporary stopping places and transit sites may be acceptable on temporary vacant/unused land, subject to the above criteria; and
7. Sites will be acceptable outside the built-up area only if they are well-screened and do not conflict with landscape, nature conservation, countryside and agricultural protection Policies in the Local Plan.

Explanation:

6.4.1.38 Current national planning policy and guidance on traveller sites is set out in 'Planning policy for traveller sites', published in March 2012 as a sister document to the NPPF. This document contains a definition of 'gypsy and traveller' for the purposes of planning. This is a definition based on lifestyle and not ethnicity. Where there is an identified need, councils should maintain a 5 year supply of pitches.

6.4.1.39 The Council recognises that travellers' particular land use requirements for accommodation and work need to be met, just as for the settled population. Many travellers are self-employed, either on a permanent or seasonal basis, in activities specifically associated with their itinerant lifestyle.

6.4.1.40 The Council is required to carry out six-monthly counts of gypsies and other travelling people on behalf of DCLG. On the

basis of the very low (usually nil) returns during recent years, and the relatively small number which passes through the area in the intervening periods, it is not considered that a need exists for the allocation of specific sites for travelling people in the Local Plan. This position was reinforced by evidence arising from the Devon-wide Gypsy and Traveller Housing Needs Assessment (2006).

6.4.1.41 A local assessment of traveller accommodation need in Torbay was carried out by the Council in Summer/Autumn 2013. The study confirmed that no evidence existed that indicated a need for the Council to make provision for permanent or transit site accommodation for travellers, namely 'gypsies and travellers' and 'travelling showpeople'. However, it is intended that the need for accommodation will be kept under review in conjunction with other Devon authorities. At present, there are no sites within Torbay that accommodate travellers and, furthermore, there has been no history of any planning applications for any type of sites in the unitary area.

6.4.1.42 Applications for privately owned and operated sites of the following type may arise during the Plan period:

1. Residential sites for settled occupation (with infrastructure including provision of sanitation and other services);
2. Transit sites (possibly with limited facilities); and
3. Temporary stopping places (with normally only basic facilities)

6.4.1.43 The criteria put forward in this Policy attempt to reflect the variety of circumstances that might surround any applications which may be submitted. There may be circumstances where planning conditions can be used to ensure particular proposals are acceptable. Conditions limiting development for a specific period may be particularly relevant where temporary sites are proposed on vacant land and sites awaiting development.

Policy H6 Housing for people in need of care

The Council will support measures to help people live independently in their own homes and to live active lives within the community, subject to other Policies in this Plan. This will be achieved through the following measures:

1. All new dwellings should be capable of adaptation for disabled people, where practical. Housing developments of 50+ dwellings should provide a minimum of 5% new homes to Building Regulations Approved Document Part M4(2) (accessible and adaptable dwellings) standard. Disabled adaptations or annexes for relatives will be supported unless they significantly and demonstrably conflict with other Local Plan Policies.
2. New sheltered housing (within Use Class C3) will be supported where it is within easy reach of community facilities, shops and public transport;
3. New care homes, extensions to existing care homes (Use Class C2) and development of retirement villages will only be approved where:
 - (i) clear evidence of need is provided with the development proposal;

- (ii) they are accessible to facilities and public transport;
- (iii) they will not harm the creation or retention of mixed and balanced communities;
- (iv) they will not add undue pressure on local healthcare or social services; and
- (v) in the case of existing care homes, this leads to an improvement in the quality of care facilities provided.

Proposals involving the loss of existing care accommodation will be supported where the facilities are not needed, or it does not represent the most appropriate way of delivering care. Where such a change of use is agreed, the creation of family homes or employment space will be encouraged.

The Council will seek financial contributions via s106 Planning Obligations to meet likely local healthcare and social service costs arising from care facilities and sheltered accommodation, unless applicants are able to show that this contribution would not be appropriate.

Explanation:

6.4.1.44 An ageing population can bring considerable social and economic benefits to an area. However, it also raises significant health and accommodation issues and costs. In addition, there is a wide range of people with some form of physical or mental care need who may require some form of assistance to live independently.

6.4.1.45 The policy of Torbay Council and the Torbay and South Devon NHS Foundation Trust is to help people to live in their own homes for as long as possible. This is considered to be better for welfare and is cheaper than residential care. The policy of helping people to live in their own homes is likely to lead to a reduced local need for care homes. However, the direct replacement and substitution of existing care homes which are not fit for purpose, to offer new facilities in Torbay with new models of care, in keeping with the aspirations of an Integrated Care Organisation, will be supported. Regard should be had to the design policies in the Local Plan in relation to the sympathetic conversion of such buildings (existing care homes), particularly the removal

or improvement of unsightly features and additions.

6.4.1.46 The Local Plan therefore supports measures that will help people live independently. Adapting homes to provide facilities such as wheel chair access will not usually require planning permission, however a sympathetic view will be taken of people's needs in instances where permission is required. The creation of 'granny annexes' will be supported subject to design and neighbour amenity matters. It will usually be necessary that annexes are subject to a planning condition requiring planning permission to be sought for them to be used as a separate dwelling.

6.4.1.47 Applications for sheltered housing often have similar land use implications to general needs housing and will be supported subject to other Policies in this Plan. It is recognised that sheltered housing is likely to be subject to different space, parking and open space standards to general needs housing. Nevertheless, accommodation where all day-to-day living facilities are contained within a living unit will be considered as

falling within Use Class C3 (dwelling house) for purposes of affordable housing and other developer contribution matters.

6.4.1.48 The Council will work closely with the Torbay and South Devon NHS Foundation Trust to ensure that proposals affecting people with care needs are properly considered having regard to best practice and people's welfare.

6.4.1.49 Where an application is likely to lead to an increase in health and social care costs in the area, the Council will seek s106 Planning Obligations to meet the additional cost to the area. This will not be sought where applicants are able to show that accommodation will be taken primarily by local people, or where alternative provision is made to provide health and social service care.

6.4.2 Design and development

Policy DE1 Design

Development should be well-designed, respecting and enhancing Torbay's special qualities. These include the waterfront and natural setting of the Bay, and the character of the natural and built environment, including areas and buildings of historic interest and settlement patterns. Schemes should design out opportunities for crime and disorder.

Major development should be informed by a townscape and/or landscape assessment, including historical context of the site, existing and previous land uses (including agricultural land quality where appropriate) as well as movement patterns through and/or around the site.

Development proposals will be assessed against their ability to meet the design considerations set out below:

Design considerations for development

Function	
1.	Be adaptable to future change and needs, including that of occupiers;
2.	Promote diversity through a balanced mix of uses that work together and encourage sustainable living;
3.	Make the best use of space in terms of ground coverage and height;
4.	Be designed to reduce crime and the fear of crime by the promotion of safety and security in the design of buildings and surrounding space, whilst ensuring that amenities are not unduly affected. Design should also minimise opportunities for community conflict, antisocial behaviour and maximise safety for all;
5.	Be economically and socially viable in terms of density, mix, function and location;
6.	Where appropriate ensure equality of access and use for all sectors of the community;
7.	Integration of the development and surrounding green infrastructure, including sustainable drainage and water-sensitive urban design;

8.	Achieve a net gain in biodiversity, including tree and hedgerow planting and habitat creation;
9.	Avoid noise and light pollution; and
10.	Promote tenure-neutral design, materials and location of affordable housing.
Visual appeal	
11.	Be uncluttered and attractive, including where appropriate the removal of unsightly additions when considering the conversion of existing buildings;
12.	Acknowledge local character, and develop distinctive character in townscape and landscape terms, using existing landform features;
13.	Have a clear urban structure and grain that integrates with the surrounding context;
14.	Relate to the surrounding built environment in terms of scale, height and massing;
15.	Make the most of opportunities to restore/improve key gateways into the Bay and to create a focal point;
16.	Evolve high quality architectural detail with a distinctive and sensitive palette of materials;
17.	Protect important local and longer-distance views and impact on the skyline, especially from public vantage points, having regard to the location and prominence of the site; and
18.	Integrate with the existing street scene and features, including trees.
Quality of public space	
19.	Positively address the street with active frontages;
20.	Respect existing street frontages and built form;
21.	Ensure definition of space that clearly and coherently defines private and public areas;
22.	Be legible, permeable and accessible to all users;
23.	Provide opportunities for active lifestyles including walking and cycling (Active Design)
24.	Provide public space and routes that are attractive, safe, uncluttered and work effectively, including a means of storing waste which minimises impact on the street scene;
25.	Positively enhance the built environment;
26.	Avoid creating gated communities;
27.	Incorporation of existing trees and native species; and
28.	Provision of high quality hard and soft landscaping.

Explanation:

6.4.2.1 The design of development has a vital role in the development of place and the evolution of the Bay. Torbay benefits from a diverse range of historic architectural styles within its towns and some outstanding countryside. Some post-war development has nevertheless diluted the quality and character of its surroundings. Government guidance requires new development to be of a high standard of design and to avoid mediocrity. In order to respect and build upon the area's distinct character, the Council intends to raise the standard of design that is acceptable.

6.4.2.2 Good design is not just about the architecture of a building. It is also about the spaces within which the development sits, and the quality of the relationships between the development and surrounding areas. Design and layout should take account of neighbouring buildings, uses and the wider area. The Council considers that good design is about making places that are functional, visually appealing, with a high quality public realm.

6.4.2.3 The Torbay Design Review Panel (DRP) was set up in 2008 to help improve the quality of urban design and architecture through the planning process. The DRP acts as an advisory body, providing professional design advice on key development proposals. While it does not have statutory decision making powers, its guidance reports will be used as a material planning consideration when applications are taken to the Council's Development Management Committee.

6.4.2.4 Torbay Council has an Adopted Urban Design Guide Supplementary Planning Document (2007) that provides further detail on the principles underpinning sound urban design.

6.4.2.5 Section 17 of the Crime and Disorder Act 1998 makes it a legal duty for planning to consider crime prevention. Consideration should be given in the location, design, and management of development to preventing crime, disorder, community conflict and antisocial behavior. Such matters should be addressed in design and access statements. The Council will work with the Police Architectural Liaison Officer (ALO) to minimise crime, disorder, antisocial behaviour and conflict. Design should seek to promote healthy and active lifestyles. Guidance and a developer checklist on 'Active Design' is available from Sport England.

6.4.2.6 To ensure that development proposals meet the requirements of this Policy, a Design and Access Statement should accompany planning applications proportionate to the scale of the proposal. Such statements should provide a site analysis describing how the proposal has evolved, the philosophy behind the proposal, how the proposal responds to its context and how it connects with surrounding areas. They should be updated as the design process evolves.

6.4.2.7 Development likely to harm (directly or indirectly) existing trees or woodlands will only be permitted where appropriate measures are in place for the retention and management of existing trees and landscape features. The Council will seek advance planting where practicable. Appropriate protection measures will include approved management programmes, planning conditions or s106 Planning Obligations, conservation area legislation or tree preservation orders (see also Policy C4).

Policy DE2 Building for Life

To demonstrate the delivery of high quality urban design, major development proposals with a residential component will be assessed against the Building for Life 12 (BfL12) design tool (or equivalent version/methodology).

A development proposal will be supported by the Council when it performs positively against BfL12, and secures as many 'green lights' as possible under its 'traffic light' system. When a development proposal does not reduce the number of 'amber' and 'red lights' scored in the BfL assessment, where reduction is considered possible and such reduction would improve the quality of development, the Council will not grant planning permission. Site and scheme specific constraints will be taken into account.

Explanation:

6.4.2.8 Torbay Council is committed to the principles of Building for Life. It is a standard that can be used by local authorities to assess the design quality of new homes and neighbourhoods. It was originally promoted by the former Commission for Architecture and the Built Environment (CABE) and has since been revised by the Design Council in 2012. The current version, Building for Life 12 (BfL12), comprises 12 criteria, prompted by questions, which help achieve the delivery of functional, attractive and sustainable places. A well-designed scheme will perform well against all 12 criteria and the performance is determined using a traffic light system of green, amber and red. The assessment supports the delivery of the aspirations of this Local Plan as well as government policy and guidance promoted through the National Planning Policy Framework.

6.4.2.9 Building for Life provides a useful guide for developers on the standards that are now expected and what factors are considered when assessing design. The criteria are not exhaustive or meant to be regarded as providing a ceiling to innovation. Rather they are seen as helping to provide a framework for assessment which is supported by Torbay Council.

6.4.2.10 The BfL12 framework aims to form a collaborative dialogue with the 12 criteria being used at the start of and throughout the development and consultation process. It is important that BfL 12 is considered at the outset of design proposals and should therefore form an integral part of pre-application discussions. The Council's Design Review Panel will be used to ensure that proposals secure high quality development that achieves as many 'green lights' as possible. The purpose of BfL 12 is to enable a conversation about design in new schemes between local authority and applicant, thereby arriving at a mutually supported result. A properly evidenced self-assessment of BfL 12 by the applicant will be required alongside a planning application. The local authority may also choose to carry out its own assessment of a scheme using BfL 12 criteria. In such cases where there is disagreement between the local authority and the applicant regarding the conclusions of the assessment, the Council will use the advice of the Design Review Panel to inform its conclusions and recommendations .

Policy DE3 Development amenity

All development should be designed to provide a good level of amenity for future residents or occupiers and should not unduly impact upon the amenity of neighbouring and surrounding uses. This will be assessed using the following criteria:

1. The impact of noise, nuisance, visual intrusion, overlooking and privacy, light and air pollution;
2. Satisfactory provision for off-road motor vehicle parking, bicycles and storage of containers for waste and recycling;
3. Scale and nature of the use, specifically where this would be overbearing, or lead to an over-concentration of similar uses which would harm the amenity of the area;
4. Impacts on existing living conditions and standards of accommodation of other uses;
5. New dwellings should comprise self-contained accommodation with separate access;
6. New residential development will need to have particular regard to outlook;
7. Provision for useable amenity space, including gardens and outdoor amenity areas;
8. New homes should be developed at a density which makes good use of land, whilst avoiding town cramming and the loss of open space; and
9. Adequate floorspace should be provided in residential development to achieve a pleasant and healthy living environment.

Where necessary, in order to limit the impact of new development, the Council may seek to restrict the use of hours of operation, time and volume of deliveries, vehicular access and operation of machinery, as well as other measures necessary to preserve amenity.

Explanation:

6.4.2.11 The Council wishes to ensure that all new homes meet high standards of residential accommodation, both in terms of quality of life for residents, and the creation of liveable, safe neighbourhoods. All applications will be expected to contribute towards making Torbay a better place in which to live.

6.4.2.12 The Council will consider the

impact of the development in terms of the noise and disturbance it may generate or be subject to. Developments likely to affect amenity by virtue of noise or disturbance, traffic movements, fumes, dust, vibrations, light, heat and littering, on a regular basis or into the evening and night-time, will not be considered favourably, and will be encouraged to locate away from residential areas to avoid harm.

6.4.2.13 Residential developments should be designed to protect privacy in proposed and existing dwellings so that the outlook and quality of space provided will not be compromised.

6.4.2.14 New dwellings should make provision for external amenity/garden space where possible. As well as providing amenity space, gardens can act as a sustainable urban drainage measure, assisting flood risk management and promote biodiversity. As a guideline, a minimum space of 55 square metres for houses and 10 square metres for apartments (which could be provided communally) will be sought. The Council's greenspace requirements are set out in the Adopted Torbay Greenspace Strategy and Action Framework Supplementary Planning Document (2008). All dwellings should make provision for the storage of recycling bins/boxes and secure cycle parking.

6.4.2.15 New dwellings should be self-contained as far as possible and of a reasonable size. All new homes, whether created by sub-division, redevelopment or new-build should therefore provide a good standard of accommodation, having regard to safety, space, amenity, parking and design.

Regard will be had to the Government's Nationally Described Space Standard when considering applications (see Table 23). These space standards are intended to be operated flexibly with regard to viability and other considerations. However, the creation of small apartments by subdivision/conversion will be resisted where this would result in an unpleasant or unhealthy living environment or exacerbate concentrations of deprivation (see also Policy SS11).



Table 23 Dwelling Space Standards

Number of bedrooms (b)	Number of bed-spaces (p-persons)	Minimum Gross Internal Area (GIA) (sq m)			Built in storage (sq m)
		1 storey dwelling	2 storey dwelling	3 storey dwelling	
1b	1p	39 (37*)			1
	2p	50	58		1.5
2b	3p	61	70		2
	4p	70	79		
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	

Number of bedrooms (b)	Number of bed-spaces (p-persons)	Minimum Gross Internal Area (GIA) (sq m)			Built in storage (sq m)
		1 storey dwelling	2 storey dwelling	3 storey dwelling	
4b	5p	90	97	103	3
	6p	99	106	112	
	7p	108	115	121	
	8p	117	124	130	
5b	6p	103	110	116	3.5
	7p	112	119	125	
	8p	121	128	134	
6b	7p	116	123	129	4
	8p	125	132	138	

Notes: This table reflects the Nationally Described Space Standard.

The Gross Internal Area (GIA) of a dwelling is defined as the total floorspace measured between the internal faces of perimeter walls that enclose a dwelling. This includes partitions, structural elements, cupboards, ducts, flights of stairs and voids above stairs. GIA should be measured and denoted in square metres.

**Where a studio has a shower room instead of a bathroom, the floor area may be reduced from 39 square metres to 37 square metres, as shown bracketed.*

6.4.2.16 With regards to the standards set out above, they will, in most circumstances, be applied with less flexibility to developments involving conversion compared to new-build developments, where there may be greater opportunities to provide high standards of living through careful design without necessarily reaching the minimum internal floorspace standard. However, as a guide it is expected that all new dwellings should aim to meet the minimum standards.

6.4.2.17 The above also applies to shared housing (HMOs) which are also covered by Policy H4. In the case of shared housing, some allowance may be made for communal areas that are available for residents. Very small accommodation (of less than 30 to 35 square metres) will not be permitted where this could result in an imbalance of

accommodation types, such as a heavy emphasis on one-bedroom apartments, harm the living environment and intensify concentrations of deprivation.

6.4.2.18 Support will be given to the provision of accessible and adaptable homes that are capable of adaptation to meet the changing needs of residents.

6.4.2.19 New homes often result from the conversion of existing buildings, many of which are in conservation areas. In such instances the Council will seek the removal of incongruous features and, where feasible the restoration of a building's original character. Where the removal of incongruous features is argued to make development unviable, the Council will require an independent viability assessment and will require appropriate

aesthetic improvements to render the development acceptable in design terms (see also Policy TO2 and supporting Explanation).

6.4.2.20 New dwellings will be expected to strike an appropriate balance between making good use of land, whilst avoiding

town cramming or harm to neighbours' amenities. As a general guideline, a minimum density of 30 dwellings per hectare will be sought on greenfield sites. However, in some instances landscape or ecology considerations may dictate lower densities.

Policy DE4 Building heights

The height of new buildings should be appropriate to the location, historic character and the setting of the development.

New development should be constructed to the prevailing height (the most commonly occurring height) within the character area in which it is located, unless there are sound urban design or socio-economic benefits to justify deviation from this approach.

The introduction of new tall buildings above the prevailing height will be supported where they:

1. Enhance the vitality of an area;
2. Contribute to the regeneration of Torbay;
3. Strengthen the character of the area;
4. Are appropriate in terms of their visual impact;
5. Provide wider urban design or socio-economic benefits;
6. Make a positive addition to the built form, townscape and surrounding landscape; and
7. Preserve or enhance local and long-distance views, and key vistas.

Explanation:

6.4.2.21 Torbay Council commissioned the Building Heights Strategy in 2010 to establish the most appropriate locations for tall buildings and also the appropriate height for building throughout the Bay. The guidance in this Strategy will be used to inform the implementation of this Policy in determining planning applications.

6.4.2.22 The term 'tall buildings' in the Torbay context is defined as buildings that are significantly higher than the prevailing height and/or have a considerable impact on the skyline. This is in line with Historic England's Advice Note 4 'Tall Buildings' (2015).

6.4.2.23 Tall buildings can deliver regenerative benefits, contribute to the re-use of brownfield land and reduce development

pressure on greenfield sites. If well-designed and built in suitable locations, tall buildings can form architectural and visual landmarks, create visually dynamic skylines and help define the area.

6.4.2.24 The Strategy identified that Torbay has a number of sensitivities to tall buildings, including conservation areas, special landscape character and prospect views, which are important in defining the character and image of Torbay. These sensitivities cover much of Torbay.

6.4.2.25 The Strategy defines the following broad character areas that cover the Bay:

- 】 Coastal Zone
- 】 Terraces
- 】 Stations
- 】 Town Centres
- 】 Suburbia
- 】 Corridors
- 】 Villas
- 】 Business and Retail Parks
- 】 Landscape-dominated

6.4.2.26 In considering building heights, they should reflect the character and urban form of the surroundings for new development, in all character areas. As such,

there is a presumption that new development will be constructed to the prevailing height (most commonly occurring height) in the local area, unless there are sound urban design or socio-economic reasons for not doing so.

6.4.2.27 There are areas of the Bay that may be suitable for tall buildings, such as town centres and station character areas, where they can support the vitality of these places and emphasise the importance of their role in the character and function of Torbay. The remainder of the Bay outside these areas is unlikely to be acceptable for tall buildings in order to maintain existing low rise residential character, residential amenity, landscape character and green, uninterrupted hilltops. This does not preclude tall building in these other areas but identifies that a more limited opportunity exists.

6.4.2.28 Where there are deviations from the prevailing building height, or where tall buildings are proposed, justification and supporting evidence should be provided as part of a Design and Access Statement. Additional graphical illustration, 3D modelling and 'fly-throughs' should be provided to help assess the impact of proposals for tall buildings.

Policy DE5 Domestic extensions

Extensions to domestic dwellings will be permitted where:

1. The plot is large enough to accommodate the proposed extension without resulting in a cramped or over-developed site, or the loss of important trees or hedgerows;
2. The extension would not dominate or have other adverse effects on the character or appearance of the original property or any neighbouring properties, or on the street scene in general;
3. The extension would not cause harm to the amenity of nearby properties, for example

through overlooking, overbearing impact, loss of light or privacy, or water run-off;

4. The extension would not result in the loss of parking, including garage space, where no suitable alternative exists to serve the property;
5. Highway safety would not be impaired; and
6. No net additional surface water should drain into shared sewers.

Explanation:

6.4.2.29 The majority of house extensions are relatively small in scale, and many do not require planning permission. However, they can cause problems for adjoining properties due to loss of privacy or overbearing impact.

6.4.2.30 It is also important that house extensions respect the character of the original building and the surrounding area and should therefore be of an appropriate scale or design. Resultant loss of off-street parking provision can also lead to loss of residential amenities for neighbouring properties.

6.4.2.31 Cumulative increases in water run-off should be minimised as far as possible, for example by draining storm water into soakaways. The impact of 'urban creep' (for example, building over gardens) is identified by the 2014 Torbay Hydraulic Modelling of Sewer Capacity in Torbay study as having a greater impact on sewer capacity than the effect of new greenfield development.

Accordingly measures to minimise surface water running into shared sewers will be sought. This could include permeable surfaces, increased planting and water butts, as well as promoting water efficiency measures in the home (see also Policy ER2).

6.4.2.32 Many house extensions do not require planning permission; in many situations they may be permitted development under the Town and Country Planning General Development Order. However, permitted development rights are complex and affected by many factors. In some cases normal permitted development rights have been taken away by planning condition or legal agreement. Permitted development rights relate largely to dwelling houses and therefore other types of property, such as flats, require planning permission for most alterations and extensions.

6.4.2.33 For the above reasons, it is usually advisable to contact the Council before any work is undertaken.

Policy DE6 Advertisements

Advertisements will not be permitted where:

1. They would harm visual or aural amenity; or
2. They would undermine public safety.

Explanation:

6.4.2.34 Properly managed and well-designed advertising can add enormously to the colour and vitality of commercial areas, but in the wrong place it can appear out of place and distasteful or even offensive. The land use and visual character of an area are crucial in determining the appropriate level of advertising. Most advertisements appear in the context of buildings and it is important that they have regard to and fit in with the character of any buildings to which they relate, and the area in which they are situated.

6.4.2.35 Large advertisement hoardings can have a powerful impact on the street scene. The Council's aim is to control them carefully to ensure their effect is minimal and not detrimental to the surrounding area. In sensitive situations, hoardings may need to incorporate other design features to soften their impact. Smaller advertisement signs may be acceptable in appropriate situations subject to the criteria set out in this Policy.

6.4.2.36 Where the introduction of specific

types of advertisements is considered likely to harm public safety, such advertising will not be permitted. Whilst impact on public safety commonly arises in relation to danger caused to pedestrians and road users, the Council will also seek to ensure that advertising does not undermine the safe operation of railways, harbours and docks, waterways and aircraft. In addition, advertisements should not have an unacceptable impact on crime prevention measures within the local authority area.

6.4.2.37 Proposals for hoardings which contribute to the environmental improvement of unsightly sites will be supported in principle on a temporary basis, subject to the criteria set out above and to their removal when the site has been developed.

6.4.2.38 The display of advertisements is subject to a separate consent process within the planning system, which is set out in the relevant Control of Advertisements Regulations. Applicants should have regard to the location of Areas of Special Control of Advertisements in Torbay.

6.4.3 Social change and balanced communities

Policy SC1 Healthy Bay

All development should contribute to improving the health and well-being of the community, reducing health inequalities and helping to deliver healthy lifestyles and sustainable neighbourhoods proportionate to the scale of the proposal.

To achieve these requirements, applicants should demonstrate that they have had regard to the following:

1. Consideration of the opportunities available to address the causes of ill-health in the local area;
2. Promotion of healthy, safe and active living for all age groups, including healthy living

options for older people; and

3. Improvement of access to medical treatment services, including the provision of healthcare clusters where appropriate.

Major residential developments of 30 or more dwellings or other development creating over 1,000 square metres of floorspace will be required to undertake a screening for a Health Impact Assessment (HIA), and a full HIA if necessary, proportionate to the development proposed, to demonstrate how they maximise positive impacts on health and healthy living within the development and in adjoining areas. This will also apply to smaller-scale developments where there are reasons to indicate that a proposal may give rise to a significant impact on health.

Explanation:

6.4.3.1 Health indicators for Torbay relating to poor health and premature mortality show a relationship strongly related to demographics and levels of deprivation, including examples of significant levels of health inequality.

Overall, average life expectancy in Torbay is in line with national figures but at a ward level, there is a difference as large as 8 years between the most prosperous and most disadvantaged wards. The major causes of early mortality remain cancer and cardiovascular disease although early deaths from these illnesses have been steadily falling in Torbay for some time. Smoking remains a major cause of preventable disease and alcohol misuse in men is a particular lifestyle issue that translates into a high number of alcohol-related hospital admissions in Torbay, when benchmarked against the whole of the South West. The rate of teenage conceptions also continues to be a priority concern.

Torbay's population exhibits lower levels of physical activity and a higher proportion of persons who are overweight or obese compared to regional and national averages. Torbay's 2014/2015 Joint Strategic Needs Assessment provides an assessment of the current and future health and social care needs in Torbay, taking account of the wider

social, environmental and economic factors which impact on health and well-being.

6.4.3.2 Health, well-being and the built environment are inextricably linked. New development has the potential to positively or negatively affect the wider determinants ('the causes of the causes') of health in our neighbourhoods. Where new development occurs it is therefore important that the implications of the proposals upon the health and the well-being of the affected communities are considered (see Figure 6). This approach reflects the Marmot Review 'Fair Society, Healthy Lives' (2010) which considered health inequalities in England. It proposed an evidence-based strategy to address the social determinants of health, i.e. the conditions in which people are born, grow, live, work and age and which can lead to health inequalities.

6.4.3.3 Development can contribute to creating healthier communities in a number of ways, for example by providing decent accommodation, reducing the effect of fuel poverty, providing open space and recreation areas, access to healthy food and supporting active travel. Developments should consider how they can promote healthier outcomes,

Figure 6 Determinants of health and well-being in neighbourhoods



the relative provision of services and access to facilities (such as hospitals, GP surgeries, healthcare centres and dentists) but also at wider inequalities, for instance sources of deprivation, that have a strong influence on health outcomes.

6.4.3.5 Opportunities within development should be taken to improve the accessibility of facilities to meet the need of existing and future residents, in particular to ensure that an increase in population does not impose an unacceptable burden on services. New development should contribute towards creating healthy and sustainable communities and neighbourhoods through the

provision of additional and improved health facilities, with more opportunities for physical activity and healthier lifestyle choices. These include improvements to the pedestrian environment, cycle routes, sports and recreation facilities, play areas and open space. The Torbay Green Infrastructure Delivery Plan (2011) aims to improve the connections between people and nature, and to enhance personal well-being. Guidance on active design is available from Sport England.

particularly within Community Investment Areas as indicated on the Policies Map (see Policy SS11). Proposals will be expected to assess their impact on health, proportionate to the scale of development. Most proposals should deal with this as part of their Design and Access Statement, although residential developments of 30 or more dwellings or other development creating over 1,000 square metres of floorspace will be asked to carry out a screening for a HIA, and a full HIA if deemed necessary. HIAs can consider the potential impacts of proposals on health and health inequalities. They may identify actions that can be taken to enhance the positive effects, and mitigate or eliminate the negative effects of development. They should explore the opportunities for healthy living and the demands that are placed upon health services and facilities arising from the development.

6.4.3.4 It is important to look not just at

provision of additional and improved health facilities, with more opportunities for physical activity and healthier lifestyle choices. These include improvements to the pedestrian environment, cycle routes, sports and recreation facilities, play areas and open space. The Torbay Green Infrastructure Delivery Plan (2011) aims to improve the connections between people and nature, and to enhance personal well-being. Guidance on active design is available from Sport England.

6.4.3.6 Social interaction arising from the staging of events, activities and meetings clearly enhances community cohesion. Community halls and meeting rooms help strengthen the dynamism and integration of communities. Other facilities such as day centres, crèches, day nurseries and places of worship also make a substantial contribution towards people's lives and need to be located where they can be easily accessed. Developments can contribute towards

providing these facilities according to their scale, location and the quantity and quality of existing provision.

6.4.3.7 Health and well-being is clearly enhanced by attractive, inspiring environments which offer a chance to make contact with nature. Consideration should be given to the particular role that can be fulfilled by planting programmes, measures to enhance biodiversity and restore

habitats and grow food locally (see Policies SS8 and SC4). The highway network also creates impacts on existing communities and the natural environment of surrounding areas. In this respect, air quality will be an important consideration in determining applications. Additional advice on Health Impact Assessments and the relationship between planning and health will be prepared by the Council as a Supplementary Planning Document.



Policy SC2 Sport, leisure and recreation

Development should provide access to sport, leisure and recreation facilities according to the additional demand it generates and the capacity, condition and location of existing facilities. Where a need is identified for new facilities, they should be provided in appropriate locations, preferably co-located with existing and other planned sports facilities, where they are accessible by a range and choice of transport and comply with other Policies in this Plan, particularly in relation to residential amenity.

An assessment of existing provision of such facilities will be required with development proposals proportionate to their scale, allowing the Council to determine whether a contribution is needed towards new facilities or the enhancement of existing provision.

Major new leisure facilities should be developed on accessible and well-located sites,

wherever possible, using available town centre sites as first preference, then edge of town centre sites, district centre locations and existing concentrations of facilities. Any proposal that may lead to likely significant effects on sites protected under European legislation will only be permitted where no adverse effect on the integrity of the site can be shown.

The following proposals are identified in the Local Plan:

1. Sports facilities at Brown's Bridge (The Willows), Torquay (area of search);
2. A Closed Road Cycle Circuit at Clennon Valley, Paignton;
3. Enhanced sports facilities at Torbay Leisure Centre, Clennon Valley, Paignton;
4. A Velodrome at Clennon Valley, Paignton (area of search);
5. A Watersports Centre at Broadsands, Paignton; and
6. Sports facilities at Churston, Brixham (area of search).

There will be a presumption against loss of existing recreational and leisure facilities, unless:

- i) An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- ii) The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- iii) The development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

Explanation:

6.4.3.8 Torbay has produced a number of nationally and internationally known sports people. South Devon College's Sport Academy programme includes an 'Elite Sporting Champions' group, designed to nurture talented future sporting champions.

6.4.3.9 Torbay has a fantastic environment for sport and recreation, and there are clear links to health, well-being and productivity. Assessments of existing and future sports and recreational need have been undertaken as

an integral element of the Council's Torbay Sports Facilities Strategy (2015), the Torbay Playing Pitch Strategy (2015), Torbay's Play Strategy 2005-2010 and the Torbay Green Infrastructure Delivery Plan (2011).

6.4.3.10 This evidence base will be updated periodically as required and this Policy should be applied to development proposals in relation to the most up-to-date evidence available at the time. The Council has recently refreshed this evidence base with the development of a new Sports

Facilities Strategy and Playing Pitch Strategy, completed in 2015 with a rolling programme of implementation.

6.4.3.11 The Local Plan has an important role in protecting and enhancing existing provision, supporting the development of new facilities and helping to bring forward the ambitions of people, clubs and representative organisations. In this context, the Council is supporting investment in a Velodrome in Paignton, together with a Watersports Centre on the coast at Broadsands. New or enhanced sports facilities are proposed in other parts of the Bay, including at Torbay Leisure Centre. A number of proposals indicated in Policy SC2, at The Willows, Clennon Valley and Churston, are shown as areas of search whilst detailed plans are finalised. Whilst all these projects are deliverable, it is possible, however, that alternative, more viable and sustainable provision can be made on other sites to satisfy demand. If, for example, suitable alternative provision is made in place of sports facilities at Churston, the Council will not pursue delivery of such facilities at Churston.

6.4.3.12 The provision of sports facilities often involves significant investment, and proposed new sites must be capable of sustaining and servicing any development through, for example, adequate car parking, and accommodating appropriate

intensification of use, such as floodlighting. However, in accordance with other Policies in this Plan, relating specifically to countryside and design, provision of sports, recreation and leisure facilities in more rural areas will need to be sensitively and carefully designed to ensure the facility, and its use, complements and does not unduly harm the character and appearance of the area. In Churston, for example, it is anticipated that a sports facility will comprise pitches, ancillary facilities (such as changing rooms), and a community recreation area suitable for its rural location.

6.4.3.13 The availability, within an acceptable safe walking distance, of sport, leisure and recreation facilities is an essential ingredient of a sustainable, healthy community. The Council's Adopted Torbay Greenspace Strategy Supplementary Planning Document (2008) sets out accessibility standards and an associated audit of facilities.

6.4.3.14 Where proposals result in the loss of open space or recreation facilities, the above Policy and Paragraph 74 of the NPPF require an assessment of their value to be carried out and replacement facilities of equivalent or better quality, quantity or location, to be provided.

Policy SC3 Education, skills and local labour

The Local Plan will support the improvement of existing and provision of new educational facilities to meet identified needs in Torbay. This includes both the expansion of schools to meet identified short to medium-term needs, and construction of new schools to address longer-term requirements associated with the delivery of new homes.

The Council will support initiatives and developments that improve skills and links between work and education, particularly through South Devon College and the Torbay and South Devon NHS Foundation Trust.

The Council will support the delivery of key worker housing and self-build housing where there is a clear link between skills development and future employment of those people involved in those types of project.

The Council will promote and negotiate use of local labour training arrangements, placements and apprenticeship schemes during the construction phases of major developments and encourage the use of local labour wherever possible.



Explanation:

6.4.3.15 The Local Plan supports the delivery of the Council's capital programme to address current pupil number increases across Torbay. Policy SS7 seeks developer contributions towards infrastructure, including education facilities, where this is needed for development to proceed.

6.4.3.16 Over the longer term, the Local Plan supports provision of full coverage of education facilities located close to local communities, that promotes excellent outcomes for all parts of the community.

6.4.3.17 Detailed proposals need to be

developed in partnership with the Council's Children's Services, schools, South Devon College, local communities and developers through masterplanning of Strategic Delivery Areas. Indicative projects include:

- › Expansion and improvement of South Devon College;
- › Identification and delivery of a new primary school site to serve the 'Torquay Gateway' development;
- › If expected town centre regeneration takes place within Torquay then further expansion projects will be required at several schools in the town;
- › Additional primary school provision in

Paignton, should growth occur above predicted levels;

- 】 Identification of a site for a ninth secondary school in the Bay, if there were a significant development along the Totnes Road corridor and if demand has not been met elsewhere; and
- 】 The provision of studio schools, for 14–19 year olds, to provide specialist skills and education, for example South Devon High School, based at South Devon College.

6.4.3.18 Department of Education funding will be sought to compensate the local community for the loss of open space, in line with Policies SC1 and SC2.

6.4.3.19 Torbay’s high level of self-containment (that is, the number of working age people who live and work in the same area) underlines the importance of ensuring that people in Torbay have the skills needed by growing and new businesses.

6.4.3.20 The Council recognises the role of key worker and self-build housing in strengthening links between work and skills, and housing. Policy H2 seeks a proportion of affordable housing to be provided on larger development sites. An element of key worker housing may be provided as part of this, subject to the Council’s agreement. Policy H3 promotes self-build housing, particularly where secured by mechanisms such as community land trusts, to provide affordable housing for local people in housing need.

6.4.3.21 The Council is unable to require the use of local labour. However, it will encourage developers to use local construction companies and to employ local people where it is practical to do so. This is particularly the case in self-build and similar schemes where an element of ‘exception’ to planning policies is made in order to permit development. For example, developers will be encouraged to use employment and skills plans to better establish links between education and employment.

Policy SC4 Sustainable food production

The enhancement of existing and provision of new sustainable local food production facilities will be supported, including food hubs, orchards and allotments, subject to other Policies in this Plan.

The change of use or redevelopment of allotment sites will not be permitted unless appropriate alternative provision is made, or it can be demonstrated that there is no demand for the facility.

Development which would result in the detriment to or loss of the best and most versatile agricultural land (Grades 1, 2, or 3a) will only be permitted where there is an overriding need for the development and it is demonstrated by the applicant that it cannot be accommodated on lower grade land. Where development is proposed and there is a choice between sites of different grades, development should take place on land of the lowest grade feasible, subject to other Policies in the Plan.

Residential development schemes of 30 or more units should include provision for sustainable food production, including allotments, proportionate to the scale of the development.

Explanation:

6.4.3.22 Growing local food encourages people to lead more active, healthy lifestyles and generates community cohesion, as exemplified by the English Riviera Food & Drink Trail. Sustainable food production is a component in creating a low-carbon society and it helps the Bay become more resilient to future food insecurity. Local food has fewer food miles, and therefore less associated carbon emissions, and also helps support the local economy. A Torbay Local Food Summit (2009) identified allotment shortage, lack of community growing areas and a lack of producer outlets in towns as key issues to be resolved.

6.4.3.23 A food hub has been established at Occombe Farm, Paignton. During the Plan period, the potential to deliver additional food hubs will be explored at Watcombe (Torquay), Great Parks (Paignton) and Lupton House (Churston). The accommodation of new development will inevitably put pressure on productive agricultural land, especially in an area as constrained (in terms of land area) as Torbay. The location of Strategic Delivery Areas, as identified in this Plan, has been informed by Sustainability Appraisal and Habitats Regulations Assessment. Consequently, the loss of best and most versatile agricultural land has been minimised. However, more detailed masterplanning work for the Strategic Delivery Areas and related Future Growth Areas will seek to utilise lower grade land before any use of Grades 1, 2 or 3a land.

6.4.3.24 Development and changes of use which result in the loss of high grade agricultural land will need to establish that alternative, previously developed sites within existing developed areas have been investigated. Where there is an overriding need to develop on agricultural land of Grades 1, 2 or 3a and there is a choice between sites of different grades, land of the lowest grade should be developed, unless the lower grade land has an environmental value in terms of its landscape, nature conservation and historic or archaeological status which outweighs its agricultural significance.

6.4.3.25 The on-site provision of new allotments will be sought from all major residential and mixed use schemes. However, it is recognised that the opportunity for major development schemes to realistically deliver allotments may be limited. For instance, site-specific constraints and circumstances will have an impact. It is recognised that the opportunities to deliver allotments may be better realised through larger, strategic developments (for instance those contained within Future Growth Areas – see Policy SS2) which offer a scale of development and site with greater prospects to secure their delivery. Whilst orchards may also be covered by Policy C4, they are an excellent form of sustainable, local and healthy food production. The enhancement of orchards will be supported, particularly where this would strengthen the growing of local varieties of fruits.

Policy SC5 Child poverty

New development will be assessed for its contribution towards reducing child poverty, proportionate to the scale and nature of the proposal. The following will be taken into account:

1. The provision of affordable homes, to rent or to buy, in order to provide a range and choice for low-income families;

2. The provision of energy efficient new homes and use of renewable energy, in order to address fuel poverty;
3. Encouragement of landlords to re-use empty homes and support improvements to the existing housing stock, in order to improve property conditions;
4. The provision of open/play space, adequate garden sizes and improved access to the countryside or urban greenspace, in order to provide local, affordable activities and play space; and
5. The need to support investment in existing schools and make appropriate contributions, and improve equality of access to high quality education provision for all, including early-years education.

Explanation:

6.4.3.26 The number of children aged 0 to 15 living in the 10% most deprived areas for Income Deprivation and Childrens Index (IDACI) has increased from 681 to 2,301 between 2007 and 2010. Child poverty is focussed in particular wards and neighbourhoods in Torbay and can lead to children experiencing issues relating to their cognitive, social and emotional development.

6.4.3.27 The Council has produced a Child Poverty Strategy 2011–2020 (2012). This reveals that 24% of children under the age of 16 live in poverty across the Bay, but the proportion is higher in deprived

communities. Hotspots of child poverty, multiple deprivation, high levels of crime and unemployment are well documented in Tormohun, Ellacombe, Roundham with Hyde, and Watcombe. There are also pockets of deprivation and poverty in Blatchcombe and St Mary's with Summercombe. Torbay's lack of affordable houses also exacerbates the effect of high house prices and rents upon child poverty.

6.4.3.28 Applications for new development will be expected to be prepared taking account of these considerations, as articulated in criteria 1. to 5. of this Policy.

6.5 Aspiration 5: Respond to climate change

6.5.1 Environmental sustainability

Policy ES1 Energy

The Local Plan will seek to ensure that carbon emissions associated with energy use from new and existing buildings (space heating, cooling, lighting and other energy consumption) are limited.

All major development proposals should make it clear how low-carbon design has been achieved, and how the following sequential energy hierarchy has been applied in doing so. Proposals should identify ways in which the development will maximise opportunities to achieve the following (in sequential order):

1. Conserve energy by reducing energy demand through siting and design. This includes the use of building orientation, layout and landscaping to optimise solar gain, ventilation and cooling;
2. Use energy efficiently within the fabric of the building;
3. Incorporate the use of decentralised heat, cooling and power systems; and
4. Use on-site or near-site renewable technologies to achieve further reductions in carbon emissions.

New development should connect to a district heating network where there are existing proposals or schemes. Where there are significant opportunities for a communal heat network but only at a future date, the development should be designed to allow later connection.

The retrofit of energy efficiency measures to existing buildings will be encouraged and supported. Opportunities for reducing carbon emissions associated with energy use will be sought through the development management process as part of the wider conversion/refurbishment of buildings where planning permission is required.

Explanation:

6.5.1.1 The delivery of new homes and jobs, while simultaneously managing greenhouse gas emissions, means creating an urban environment that makes more efficient use of resources, particularly energy, in both new and existing built development. Development will be expected to radically

reduce greenhouse gas emissions to their lowest practicable levels by following a sequential energy hierarchy. The hierarchy takes account of the relative cost of different solutions by ensuring that the lowest cost and most effective means of achieving carbon savings are implemented first.

6.5.1.2 Relatively simple solutions such as the careful siting, layout and orientation of buildings, together with effective landscaping, can greatly influence future energy demand from a development. The use of thermal modelling to test different design and layout options of a scheme (in the context of seeking to reduce energy demand and limit overheating – see Policy SS14) can be of great value to support development proposals, particularly for major developments.

6.5.1.3 Energy efficiency needs to be maximised in the fabric and design of new buildings and the stock of poorly insulated buildings reduced. This will principally be managed through Building Regulations (Part L) and the move towards tighter carbon compliance standards. However, there may be opportunities, particularly on larger sites to use building designs that go further in dealing with both regulated and non-regulated emissions.

6.5.1.4 New development may provide an opportunity to establish energy-generating systems at a local (decentralised) level to promote local energy security. The feasibility of district heating networks is closely related to the mix of users (residential, industrial etc.) and the presence of ‘anchor loads’ that provide a critical mass for their operation. The prospects of establishing a network are also likely to increase in central urban areas and may provide a chance to connect poorly

insulated housing and help reduce fuel poverty.

6.5.1.5 The residential sector is responsible for generating the greatest proportion of greenhouse gas emissions in Torbay. Targeted activity which will reduce emissions in existing buildings will be particularly encouraged, for example the retrofitting of energy-saving and renewable energy technologies. Actions which reduce exposure to energy costs and fuel poverty are of acute importance.

6.5.1.6 The Passivhaus standard is a building assessment which fully embraces the aims of the energy hierarchy (a low energy consumption approach) going well beyond current building regulations to provide excellent thermal performance and exceptional air tightness with mechanical ventilation. The standard can also be complementary to other assessment methods such as the Code for Sustainable Homes and BREEAM. Carbon emissions and energy costs are incredibly low with these types of buildings. Proposals which adopt Passivhaus principles will be given great weight in terms of decision making and meeting the requirements of this policy. Note that these standards are voluntary but could provide an effective design methodology to support the ability of new development to meet Building Regulations and Local Plan/ NPPF Policy requirements.

Policy ES2 Renewable and low-carbon infrastructure

The Council will support, in principle, proposals for new renewable and low-carbon energy generating systems at all scales, including district heat and power and community projects. The wider environmental, community and economic benefits of proposals of these systems will be given great weight.

Proposals for renewable and low-carbon infrastructure will be considered against other Policies in the Local Plan. Development will not be permitted where the negative impacts of the proposal outweigh the benefits of the scheme. In particular, provision of new renewable energy infrastructure will only be approved where the Council has ascertained that it would not have an adverse effect on the integrity of any site protected under European legislation.

Explanation:

6.5.1.7 The UK Government has significant binding targets to reduce carbon emissions and increase the uptake of renewable energy generation. Proposals will be assessed individually on their merits. However, it is important that sufficient weight is given to the benefits of proposals.

6.5.1.8 Where negative impacts are identified, the applicant is encouraged to work

with the Council to deliver an appropriate solution. The Council's Sustainable Energy Assessment (2011) shows the considerable potential for the deployment of a range of renewable energy technologies to support economic, environmental and social outcomes. These opportunities are illustrated in the Energy Opportunities Plan, including the potentially most viable locations for district heat networks, which can be found within this evidence base document.

6.5.2 Environmental resources

Policy ER1 Flood risk

Development must be safe for its lifetime, taking account of its future use, function and government projections of how the risk of flooding may change in response to climate change. The sequential approach, as outlined in the National Planning Policy Framework, must be used to guide new development towards sustainable locations, giving priority to sites with the lowest risk of flooding and taking account of the vulnerability of the proposed land uses. Areas subject to flood risk are shown on the Policies Map.

Development proposals will be expected to maintain or enhance the prevailing water flow regime on-site, including an allowance for climate change, and ensure the risk of flooding is not increased elsewhere. Where development is necessary in areas at risk of flooding it should be laid out and designed to ensure buildings and their surroundings are appropriately resistant and resilient to all forms of flooding, would be safe and would not increase the risk of flooding to third parties. Mitigation measures such as Sustainable Drainage Systems (SUDS),

Water Sensitive Urban Design (WSUD) and water storage areas will be required to restrict site discharge rates, alleviate downstream flood risk, prevent increased discharge from Ilsham Combined Sewer Outfall (CSO) during flood events and encourage biodiversity.

Proposals should have regard to the Council's Local Flood Risk Management Strategy and comply with the requirements of any subsequent Action Plan. In this context, the Council will produce a Supplementary Planning Document setting out detailed guidance on the use and application of WSUDS and SUDS.

Development that contributes directly to downstream flooding and increased discharge from Ilsham CSO during flood events will not be permitted until the appropriate flood protection measures referred to above are put in place. Developers will be required to contribute to these works as appropriate (see Policy SS7 'Infrastructure, phasing and delivery of development').

SUDS should seek to maximise benefits for amenity, water quality, recreation and biodiversity and take account of the vulnerability and importance of existing ecological resources. A financial contribution may also be requested for capital improvement works to the existing drainage infrastructure.

Torbay has now been designated as a Critical Drainage Area and as a consequence all developments will require a basic Flood Risk Assessment (FRA). A more detailed FRA will be required for proposals with a site area of 1 hectare or greater within Flood Zone 1, including where they impact on catchments draining into Flood Zones 2 and 3, and for all new development within Flood Zones 2 and 3. A Flood Risk Assessment will also be required for development close to seafronts within Flood Zone 1 where there may be a risk of flooding due to wave action. Development of basement accommodation, including changes of use or basement parking will not be permitted where there is danger of inundation and consequent risk to life.

On sites which benefit from existing flood defence schemes, consideration should be given to how the development will be safe and satisfactorily defended for the lifetime of the development, having regard to the future maintenance, modifications and enhancements that will be required to retain the existing level of protection. A financial contribution towards flood defence works may be requested by the Council. Development will be resisted where this requires disproportionate costs for flood defence works, or generates substantial obligations for the public sector.

Development must not result in the loss of access to watercourses, or flood defence assets, for maintenance, clearance, repair or replacement.

Proposals which provide functional improvements to a floodplain, open up culverts or restore the natural characteristics of catchments will be promoted and encouraged, particularly where this reduces flood risk, improves water quality, maintains water resources, enhances biodiversity, or produces other benefits, such as improved amenity or provision for recreation.

Explanation:

6.5.2.1 This Policy seeks to avoid inappropriate development in areas subject to flooding, and to direct development away from areas of highest risk. Events in Torbay and elsewhere have shown the disruption and distress caused by flood events which, at worst, can lead to the loss of life and damage to property.

6.5.2.2 The risk from flooding is very low in most parts of Torbay. However, due to the Bay's topography, climate, proximity to the sea and the nature of watercourses and sewers, flooding can occur rapidly, giving people little time to react. It is therefore particularly important that new development considers flood risk.

6.5.2.3 Indicative flood risk zones are shown on the Policies Map. However, they are not intended to be definitive and it is the responsibility of the applicant to ensure that proposals meet the requirements of the Local Plan and NPPF. More detailed information can be found in the Torbay Strategic Flood Risk Assessment 2008/2010 (SFRA) and Torbay Local Flood Risk Management Strategy (2015). Most of the coastal fringe and land adjacent to watercourses is within a medium or high risk flood area – Flood Zones 2 and 3. This includes parts of Brixham, Paignton and Torquay Town Centres, Higher Brixham, Torquay waterfront, Torre Abbey Meadows, parts of Preston and Goodrington, Occombe and Clennon Valleys, Broadsands, Kings Ash Road, Totnes Road, Churston and Galmpton. Policy C3 is also relevant to such areas. It is important to note that coastal frontages may be at risk of flooding from wave action, even where they are mapped as Flood Zone 1. This must be recognised in planning for such areas.

6.5.2.4 The Council's approved Torbay

Local Flood Risk Management Strategy explains the key flood risks in Torbay, the measures that have already been taken to minimise these risks, and the measures and actions that will need to be taken in order to minimise these risks further. The ensuing Action Plan will be used to inform the medium term plan for flood defence funding in liaison with South West Water. It will allow flood risk management actions to be prioritised and for investment plans to be focused and coordinated.

6.5.2.5 The greatest risk of tidal flooding coincides with extreme storms, high tides and easterly winds. This could potentially lead to the local over-topping or breach (failure) of existing flood defences. Fluvial flood events have tended to arise where rainfall exceeds the capacity of watercourses, or as a result of problems within culverts. A key factor influencing the magnitude of fluvial flood events is the steep topography present in much of Torbay.

6.5.2.6 There is sufficient land within Flood Zone 1, where the probability of flooding is low, in order to deliver the majority of the future growth identified by the Local Plan.

6.5.2.7 A sequential test should be undertaken, in accordance with the National Planning Policy Framework and National Planning Practice Guidance, to ensure that development such as residential use (including caravans and mobile homes) is appropriately located. Developers should have regard to the potential for flood risk now and in the future, when undertaking the sequential test, as set out in the Torbay Strategic Flood Risk Assessment (2008/2010). When undertaking the sequential test, consideration should be given to the local flooding characteristics identified in the Council's Level 1 and 2 SFRA's and to the

Torbay Strategic Housing Land Availability Assessment (2013). Where the Exception Test is applied, preference will be given to proposals able to demonstrate significant regeneration benefits or lead to the achievement of Local Plan objectives.

6.5.2.8 The Level 1 SFRA shows the extent and distribution of flood risk through a series of flood maps. The maps highlight the risk of fluvial and tidal flooding events. The SFRA also sets out the circumstances in which surface water, sewer and groundwater flooding may be an issue.

6.5.2.9 The Level 2 SFRA provides greater detail about the flood risk characteristics within the major flood risk areas identified by the Level 1 assessment, drawing on the results from tidal and fluvial modelling. It examines the consequences of over-topping or a breach (failure) of flood defences by mapping the potential depth of floodwater and the severity of the flood hazard, taking account of flood velocity. The Level 2 SFRA provides clear guidance on the risk management measures which should be adopted, in order to mitigate flood risk.

6.5.2.10 For all development (including changes of use) in Flood Zones 1, 2 or 3, the Council will work with developers to seek opportunities to reduce the overall risk of flooding in the area and beyond, through the layout and form of development, including sustainable drainage systems and green infrastructure. The opportunity to reduce the vulnerability of existing basement flats in areas of flood risk will be particularly encouraged. Changes of use of existing basements to 'more' and 'highly' vulnerable uses will not be acceptable. Similarly, the reorientation of existing residential accommodation that would result in self-contained basement dwellings will not be

permitted where there would be no unfettered access to high ground, or higher floors that are above potential flood levels within the building in question.

6.5.2.11 The Environmental Agency's South Devon Catchment Flood Management Plan (2009) contains long-term actions to reduce the number of people and properties at risk from inland flooding.

6.5.2.12 The Torbay Strategic Housing Land Availability Assessment (2013) does not distinguish between sites according to flood risk. However it does provide a useful reference source in indicating the supply of reasonably available land for housing outside the high and medium flood risk areas.

6.5.2.13 It is recognised that the intense pressure on Torbay's finite land supply will mean some development will continue to occur in flood risk areas, and this will help to sustain the vitality of the existing urban area and contribute to the regeneration of the local economy. The acceptability of such proposals will be determined with regard to the compatibility of land uses in the National Planning Policy Framework and National Planning Practice Guidance, and the specific package of mitigation measures being proposed. Such developments must be safe over their lifetime and take into account the effects of climate change (also see Policy SS14).

6.5.2.14 The Council will require developers to enter into a legal agreement securing the provision of Sustainable Drainage Systems (SUDS), where technically feasible, to control surface water run-off, safeguard and improve the quality of rivers, coastal waters and ground water and protect and enhance biodiversity, amenity or recreation. The amount and rate of water flowing off the

development site must not be greater than the situation prior to development.

6.5.2.15 The whole of Torbay is designated by the Environment Agency as a Critical Drainage Area (CDA). For this reason, all development will require a basic Flood Risk Assessment. The catchments within Torbay are typically small, steep, and in the most part highly developed in nature. There is also a legacy of culverting (piping) of the watercourse channels which adds to the risk of flooding and as such all new development must deliver a reduction in current rainfall run-off rates. This requirement also applies to brownfield sites that will have to match the same standards. All off-site surface-water discharges from new development should mimic greenfield performance up to a maximum 1 in 10 year discharge. On site, all surface water should be safely managed in conditions up to the 1 in 100 event plus an allowance for climate change. To satisfy the above will require additional water sensitive urban design (WSUD) and water storage areas to be created within the site, compared to the normal SUDS design, thereby contributing to a reduction in flooding downstream. Policies ER2 'Water management' and W5 'Waste water disposal' also promote the use of SUDs and WSUDs.

6.5.2.16 The Torbay Green Infrastructure Delivery Plan (2011) demonstrates some of the opportunities present in Torbay for the enhancement, restoration and creation of habitats for wildlife. These include wetlands and reed beds, which can collect, store and filter dirty water, provide a habitat for wildlife and a natural form of flood defence. Ensuring that more development schemes provide sustainable drainage systems will help towards reducing the likelihood of urban sewer flooding. Further details are set out in the Torbay Flood Risk Management Strategy.

A sustainable drainage and water sensitive design supplementary planning document will be prepared, setting out how sustainable water management can be incorporated into development and retrofitted into the urban area.

6.5.2.17 The Government has stated that individuals and businesses that benefit the most from flood defences (for example by lower insurance premiums and averted damage) should pay a greater proportion towards their cost, giving effect to the 'beneficiary pays principle' (DEFRA, 2010). A financial contribution for the maintenance and improvement of flood defence infrastructure will be requested where it protects a proposed development, or makes a development feasible, which otherwise, could not be permitted.

6.5.2.18 New development will need to be designed and constructed to minimise flood risk by the careful layout of land uses and activities to ensure flood resilience and resistance. Safe access, escape routes, refuge areas and evacuation plans may need to be provided. Where a development site has different flood risk characteristics (for example where it straddles flood zones), vulnerable uses should be directed to the part of the site with the lowest flood risk. Particular care will need to be taken with proposals to provide new basement accommodation or underground car parking, as these uses are particularly difficult to defend. Development is unlikely to be permitted where there is a danger of inundation of such areas, as this poses a danger to life.

6.5.2.19 In accordance with this Policy, a Flood Risk Assessment (FRA) may be requested to support a planning application. This should demonstrate how the risk of all forms of flooding has been considered, any

mitigation measures proposed, and identify the effects of 'adding in' climate change. Impacts both upstream and downstream in the catchment will need to be examined where there is a risk of fluvial flooding or surface water run-off. The detail provided by the FRA should be proportionate to the flood risk posed to and by the proposed

development. Details of the measures, proportionate to the scale and nature of the proposal, that will be used to address flood risk will be required when a planning application is submitted. Attention is drawn to Paragraphs 103 - 104 and footnote 20 of the NPPF.

Policy ER2 Water management

Development proposals must:

1. Provide for adequate water supplies and the efficient use of water including its re-use and recycling;
2. Avoid harm to surface waters (including rivers and coastal waters), sensitive water-reliant habitats and species and sites protected under European legislation, and any adverse impacts on the quality and quantity of groundwater. Regard should be had to the cumulative effects of developments;
3. Prepare and submit, as part of a planning application, Pollution Prevention Plans where there is a significant risk of adverse effects on aquatic ecosystems;
4. Provide appropriate sewage disposal systems with separate foul and surface water, and particularly through sustainable drainage measures, reduce water being discharged into shared sewers (see also Policy W5 'Waste water disposal'); and
5. Deliver appropriate mitigation measures in accordance with the Government's current Water Framework Directive objectives.

All development should seek to minimise the generation of increased run-off, having regard to the drainage hierarchy, whereby surface water will discharge to one of the following, listed in order of priority:

- i) An adequate infiltration system (for example swales, soakaways, infiltration basins, filter drains, rain gardens), or where that is not reasonably practicable;
- ii) A main river or water course, or where that is not reasonably practicable;
- iii) A surface water sewer or highway drain, or in the last resort where none of the above are reasonably practicable;

- iv) To a combined (foul and surface water) sewer, where discharge is controlled to be at greenfield discharge rates.

In Torquay, where development has not met criteria i) to iv) listed above, it will be subject to an individual Habitats Regulations Appropriate Assessment.

Development may need to be phased in accordance with the provision of adequate water-related infrastructure and a financial contribution, or works in kind, may be required in order for development to proceed. This would include funding to ensure the provision of any necessary additional surface water management schemes.

Explanation:

6.5.2.20 This Policy seeks to minimise the effect of development on water bodies, and to deliver Water Framework Directive objectives and appropriate mitigation measures set out in the South West River Basin Management Plan (2009) produced by the Environment Agency / DEFRA. One of the principles of the Water Framework Directive is that there should be no deterioration in water quality status arising through development. The Council will seek to use development to bring about improvements to bathing waters and marine habitats through the design of development and off-site contributions where appropriate.

6.5.2.21 New development in Torbay will give rise to the need for additional infrastructure to treat and supply water, and dispose of waste water. It is vital that water is used efficiently, by both new and existing development, to reduce the demand on energy, for example from the pumping of water, and to avert adverse environmental effects, such as over-abstraction from water bodies.

6.5.2.22 The Council will require a Pollution Prevention Plan (PPP) to be prepared where the development poses a significant risk to the water environment, including the Marine candidate Special Area of Conservation (SAC), from either the construction process

and operation, or design of buildings (for example through run-off). The PPP should identify how the potential for adverse effects on aquatic ecosystems or socio-economic assets, such as the coastal bathing waters, will be managed. The physical and chemical modification of water bodies will be resisted where this harms their function or results in damage to habitats.

6.5.2.23 Groundwater resources are an invaluable source of water for public supply, industry, agriculture and rivers but can be harmed by a range of activities, such as contamination from industrial uses or infilling in the urban area. The Council will seek to prevent or limit the entry of pollutants and protect water resources by refusing planning consent for developments which it considers pose an unacceptable risk to groundwater. The Council may require measures, such as the provision of Sustainable Drainage Systems (SUDS), to minimise or remove the risk. Further details are set out in the Torbay Flood Risk Management Strategy. A Supplementary Planning Document will be prepared setting out how sustainable water management can be incorporated into development and retrofitted into the urban area. As set out above, the use of sustainable drainage systems such as swales, soakaways, infiltration basins, filter drains and

rain gardens will be the first preference.

6.5.2.24 Natural England has expressed serious concerns about the effect of combined sewer overflows from Ilsham (also referred to as Hopes Nose), Torquay on the integrity of the marine reefs which are an important element of the Marine candidate Special Area of Conservation (SAC). In Torquay, development will need to show that there is no likely significant effect (LSE) on the Marine SAC, including the combined impact. In order to achieve this, proposals will need to show that:

- ▶ Drainage discharges into (a) adequate infiltration systems, (b) a main river or water course, or (c) a surface water sewer or highway drain (i.e. not a combined sewer); and
- ▶ They can demonstrate that they avoid or cancel out the risk of increased run-off, and thereby an increased risk of spills at the Ilsham CSO.

6.5.2.25 However, where proposals are reliant upon discharge to the combined sewer system, posing a risk of increased spills at the Ilsham CSO, it is likely that they will contribute to a LSE on the Marine SAC and will therefore

require Appropriate Assessment, especially in order to assess their 'in combination' effect with other such proposals.

6.5.2.26 The age and capacity of shared sewers, especially in Paignton, has been identified as a major infrastructure constraint. Policy W5 deals with waste water disposal in more detail. However, better use of existing infrastructure and water efficiency will be as important as new sewerage infrastructure in ensuring a sustainable future. Development proposals must provide adequate sewerage infrastructure to cope with the anticipated increase in sewage and surface water, including the impact of extreme weather events. Foul and surface water drainage should be separated to reduce the likelihood of flooding and contamination downstream. Measures to promote the conservation and reuse of water such as water butts and rain/grey water harvesting will be supported. The use of natural sewage treatment, such as wetland / reed beds, is encouraged where practicable. The phasing of development may be required in line with a timetable for the provision of critical water and drainage infrastructure improvements required to serve a development proposal.

Policy ER3 Contamination

Development proposals must take the following environmental considerations into account:

1. Where identified or suspected contamination presents a risk to public health and safety, buildings, structures or the natural environment, appropriate investigations and remedial or precautionary measures will need to be agreed with the Council; and
2. Developers will need to demonstrate that any identified or suspected contamination can be satisfactorily overcome without risk to health.

Explanation:

6.5.2.27 To ensure the best use of the limited supply of available land, it may sometimes be possible to put contaminated land to a suitable, beneficial use. Whilst contamination is not generally a significant issue in Torbay, there are isolated sites where previous or current land uses suggest a remediation strategy will need to be agreed with the Council before development commences.

6.5.2.28 As such, development provides an opportunity to deal with issues which have historically resulted in land being sterilised, or its use being restricted, and to deal with ongoing contamination issues. The Council has prepared a Contaminated Land Strategy in accordance with the Environmental Protection Act 1990 – Part IIA, published in 2001 and reviewed in 2005.

6.5.2.29 The full process developers will need to follow when dealing with sites, where contamination is either known or suspected, is set out in Torbay Council's Local Planning

Guidance Note – A Guide for Developers to the Assessment and Remediation of Land Affected by Contamination in Devon (2006).

6.5.2.30 The Council will request appropriate site investigations and reports to be undertaken to assess the ground conditions and to identify the remedial, preventative and precautionary measures that will be required. The examination of any development site may need to consider surrounding land and activities, including any pathways through which a pollutant could potentially transfer. The sensitivity of the proposed end use is especially relevant, particularly where residential development is proposed with gardens; sites with a history of contamination could present risks from growing vegetables or dermal contact with soils. The degree of exposure, in terms of the time users of a development spend staying in an area, will be taken into account. Site investigation reports and recommendations for remedial, preventative or precautionary measures must be submitted with major planning applications.

Policy ER4 Ground stability

Development proposals must take the following considerations into account:

1. Appropriate investigations and remedial or precautionary measures will need to be agreed with the Council where identified or suspected ground instability presents a risk to public health and safety, buildings, structures or the natural environment; and
2. Developers will need to demonstrate that any identified or suspected ground instability can be satisfactorily overcome in order for development to proceed.

Explanation:

6.5.2.31 Ground stability is an issue in the immediate coastal area and inland due to the natural movement of the ground and underlying strata. Where land stability has been identified as a concern or is suspected,

developers will be expected to undertake a geotechnical investigation in accordance with the Council's requirements. Conditions will be attached to planning permissions to ensure necessary procedures are followed (see also Policy C3 'Coastal change management').

6.5.3 Waste

Policy W1 Waste hierarchy

All development should seek to minimise the generation of waste, having regard to the following waste hierarchy:

1. **Prevention:** Using less material in design, manufacture and re-use. Using less hazardous material and other measures to minimise waste generation.
2. **Re-use and recycling:** Increase recycling and composting through the kerbside collection regime and ensuring adequate existing recycling facilities in Torbay as well as the improvement or development of new facilities where appropriate. Explore opportunities for storage, re-use and collection facilities. Provision of waste audit statements demonstrating accordance with the waste hierarchy for major developments.
3. **Recovery:** Maximise the recovery of residual waste, through a partnership approach with other Devon Authorities for the use of the site in Plymouth for 'energy from waste recovery'.
4. **Disposal:** Minimise the amount of residual waste which is disposed of and minimise the exporting of waste for disposal to Devon.

Development proposals will be expected to provide a scheme of sustainable waste management, proportionate to the scale and nature of the proposal. As a minimum, all developments should make provision for appropriate storage, recycling, treatment and removal of waste likely to be generated. As a minimum, residential units should provide adequate space within the curtilage for waste and accessible kerbside recycling bins and boxes.

Explanation:

6.5.3.1 As a Waste Planning Authority (WPA), Torbay is required to produce waste planning policies under national planning legislation.

6.5.3.2 National waste planning policy is set out in the National Planning Policy for Waste, published in October 2014. It confirms the waste hierarchy and contains detailed advice for plan-making and decision-taking on waste matters.

6.5.3.3 The Government's approach to waste has emphasised that waste is a resource and defines the 'waste hierarchy' as

prevention, preparing for re-use, recycling, other recovery, and disposing only as a last resort. The aim of sustainable waste management is to break the link between economic growth and waste generation and reduce the environmental impact of waste. WPAs should have regard to the hierarchy in the preparation of plans and provide the framework to enable and facilitate the desired change in waste management methods. The hierarchy is capable of being a material consideration in determining individual planning applications.

6.5.3.4 Torbay is dependent upon Devon Council Council (DCC) for much of its waste

management. The Torbay Waste Sites Identification - Waste Sites Appraisal Report (2013) assesses the suitability of eleven potential sites for waste disposal, and finds that they all have a high level of constraint, and none are suitable for inclusion in the Local Plan.

6.5.3.5 The County Council's Devon Waste Plan was adopted in December 2014. Waste Topic Paper 2: Duty to Co-operate: an assessment of Cross-Boundary Waste Movements was prepared as a supporting document by DCC to assess cross-boundary issues. This acknowledges the lack of suitable sites within Torbay and makes provision for 38-40,000 tonnes of CIW (commercial and industrial waste) per annum by 2031. This figure assumes that Torbay is successful in reducing waste and achieving 50% recycling rate by 2031. It also assumes that Torbay's residual local authority collected waste (LACW) will be delivered at the Plymouth Dockyard energy from waste incinerator. This facility will process approximately 32,000 tonnes of residual waste from Torbay.

6.5.3.6 On this basis, consistent with the National Planning Policy for Waste, it is important that all development seeks to minimise its waste generation by having regard to the waste hierarchy. Major development and other proposals

likely to generate significant waste should undertake a Waste Audit and Five Year Waste Management Plan, as set out in Policy W2. However, smaller developments should also have regard to the hierarchy, in proportion to the scale of the proposal. For all new residential developments and for conversions of existing buildings into residential use (particularly multi-occupancy properties and Houses in Multiple Occupation) sufficient and accessible storage space for waste and recycling will be required within the curtilage. Planning Obligations will be sought for additional waste infrastructure requirements. In some instances, a bespoke waste management plan will be required.

6.5.3.7 The Waste Audit should demonstrate how waste will be minimised as far as possible in both construction and operational phases and managed in an appropriate manner in accordance with the waste hierarchy.

6.5.3.8 Integrating waste management alongside other spatial planning activity is a fundamental part of delivering sustainable development. All development should seek to minimise waste during construction and operation. Proposals that are likely to generate significant volumes of waste through the development or operational phases (community or visitor use) will be required to include a waste audit as part of any planning application.

Policy W2 Waste audit for major and significant waste generating developments

Development proposals which are likely to generate significant volumes of waste must include a Waste Audit and Five Year Waste Management Plan setting out how waste generation will be reduced during the construction and operation of the development. This will include provision of appropriate on-site facilities for re-use, recycling (composting where appropriate) and collection of waste. Schemes should include measures to:

1. Prevent and minimise, re-use and recycle waste (including composting where appropriate);
2. Minimise the use of raw materials;
3. Minimise the pollution potential of unavoidable waste;
4. Seek alternative modes of transport (to the use of roads) to move waste;
5. Make provision for the storage and collection of waste. Planning contributions for off-site waste management facilities may also be required; and
6. Dispose of unavoidable waste in an environmentally acceptable manner;

The audit should be proportionate to the scale of the proposal, number of visitors and likely waste generation.

Proposals for waste disposal must incorporate a satisfactory scheme for the reclamation of the site to an appropriate after-use, progressively wherever possible, and at the earliest possible opportunity, and progressively during site operation where possible.

Explanation:

6.5.3.9 Policy W2 requires a Waste Audit to be carried out to assess and manage the impact of major development and uses that can be reasonably expected to generate significant levels of waste.

6.5.3.10 The Waste Audit should demonstrate that waste will be minimised as far as possible in both construction and operational phases and managed in an appropriate manner in accordance with the waste hierarchy. The Waste Audit and Five Year Waste Management Plan should include details relating to the minimisation of the use of raw materials, the nature and volumes of waste generated and how waste

has been minimised and segregated (i.e. sorting, storage, recovery and recycling facilities). Other measures should also be included to manage waste that cannot be incorporated within the new development, or that arises once it is operational. For residential and commercial development the provision of reduction and/or recycling infrastructure should be identified and support for community composting schemes demonstrated where appropriate. Before granting planning permission, additional waste management measures may also be required to ensure movement up the waste hierarchy.

Policy W3 Existing waste management facilities in Torbay

Existing, allocated or consented waste management sites (for the re-use, recycling and composting, transfer, treatment, recovery or disposal of waste) will be protected unless no longer required or alternative provision can be made. Development proposals that would prevent or prejudice the use of such sites for those purposes will not be permitted unless conflicts can be satisfactorily mitigated.

The continued enhancement and improvement of the Torbay Household Waste Recycling Centre (HWRC) and Waste Transfer Station at Yalberton, Paignton will be supported.

Explanation:

6.5.3.11 The Waste Planning Authority must demonstrate sufficient waste management capacity and allocate sufficient provision of waste management sites to meet Torbay's need. This is based on an assessment of capacity of current operational sites and future demand derived from the Torbay Municipal Waste Management Strategy (MWMS). A Waste Site Assessment was carried out in 2013, which identified very limited scope for deliverable major new waste management facilities in Torbay.

6.5.3.12 The continued enhancement of existing waste management sites including the Torbay HWRC and Waste Transfer Station at Yalberton to accommodate additional

facilities will be supported, to ensure sufficient capacity to serve Torbay to 2031. The need for additional local Household Waste Recycling Centres elsewhere in Torbay during the Plan period will be kept under review. The impact of all operations must be minimised and sites restored where appropriate in accordance with Policy W4. Yalberton Tor Quarry currently operates as a Construction, Demolition and Engineering Waste (CDEW) facility in Torbay.

6.5.3.13 It is essential that waste management facilities (whether proposed or existing) are safeguarded from any development proposals in close proximity to them which may prevent or prejudice their operation. This Policy should also be applied to waste management sites with planning consent.

Policy W4 Proposals for new waste management facilities

Preference will be given to proposals for waste management facilities that are in accordance with the waste hierarchy and located on previously developed land. Individual sites should be well-related to the transport network (including rail and water), to centres of population and sources of waste, and be compatible with neighbouring land uses. Proposals should not have adverse impacts upon human health, amenity, land stability, flood risk and features of environmental and biodiversity importance.

Development of facilities for the management of special types of waste (including clinical or hazardous waste) should serve a defined local need and particular consideration will be given to any health, environmental and amenity impacts.

The immediate and wider impact of facilities on the surrounding environment should be minimised through high quality design solutions, with the use of sympathetic materials and colour schemes, and effective methods of landscaping and screening. Specific site management issues should be carefully addressed including amenity, litter, vermin and birds, the impact of odours, lighting, noise, vibration, hours of operation, access and transport movements.

Where appropriate, provision for restoration and after use will be required.

Explanation:

6.5.3.14 Torbay Council's current (2013) assessment indicates that whilst there is potential for recycling sites and some inert landfill capacity (at Yalberton Quarry), suitable or deliverable sites cannot be identified for significant recovery or landfill capacity for municipal, commercial and industrial waste generated in the area.

6.5.3.15 Policy W4 deals with planning applications that may come forward for new or enhanced waste management facilities on sites that have not been identified for such uses. Current National Planning Practice advises that for new waste disposal facilities, applicants should be able to demonstrate that the envisaged facility will not undermine the waste planning strategy through prejudicing movement up the Waste Hierarchy. If proposals are consistent with an up-to-date Plan, there is no requirement to demonstrate 'need'.

6.5.3.16 Where existing facilities are seeking expansion or extension, the LPA will still consider the cumulative effect of previous waste disposal facilities on a community's well-being. This includes the impacts on environmental quality, social cohesion and inclusion, and economic potential. Appendix B of the National Planning Policy for Waste sets out locational criteria for testing the suitability of sites.

6.5.3.17 When considering the need for such

facilities the Council will take into account the capacity of existing recycling, composting and recovery facilities, and proposed facilities that have planning permission or are the subject of a current planning application. Proposals for residual waste treatment facilities should not undermine the waste hierarchy outlined in Policy W1.

6.5.3.18 The provision of small to medium waste facilities that are necessary in order to transfer waste effectively to points of treatment or disposal may be supported on sites that are well-related to the transport network, centres of population and sources of waste. They should not have adverse impacts upon features of environmental importance, endanger human health or harm residential amenity. Urban sites, including employment or brownfield land, are likely to be most appropriate for such use where surrounding land uses are suitable, and amenity issues can be dealt with satisfactorily.

6.5.3.19 Consistent with the National Planning Policy for Waste, waste management facilities should be well-designed so that they contribute positively to the character and quality of an area. Careful attention will therefore need to be given to landscaping and screening, measures to reduce noise and dust problems, and local highway and access matters. Sensitive methods of working, restoration and after-care should form part of any proposal. If the proposed development is likely to have significant

environmental effects, an Environmental Impact Assessment will be required.

6.5.3.20 There are currently no proposals for

new facilities to deal with clinical waste. Any small-scale proposals that do come forward should be proposed to meet an identified local need, closely related to the source.

Policy W5 Waste water disposal

New, enhanced or extended waste water treatment facilities will be supported where such proposals aim to improve the quality of discharged water or reduce the environmental impact of the operation of the waste water treatment facility.

Development proposals will be required to demonstrate that the proposal can be delivered and operated without giving rise to unacceptable impacts on water treatment and disposal, or deterioration in the service received by residents and businesses. In considering minor development proposals, the Council will have regard to the in-combination impact of such developments and their effect on local capacity or flows.

Proposals for housing developments, particularly in allocations relating to Policies SDT1, SDP1, SDB1 and related Future Growth Areas, will not be permitted if South West Water, Natural England or the Environment Agency confirm that:

1. Waste water treatment works or other sewerage infrastructure serving these developments have insufficient capacity to accommodate the additional development, without increasing the risk of overflows of untreated sewage into the environment; or
2. There would be an increase in the levels of pollutants or spills (see definition below) likely to have an adverse effect on the integrity of the Lyme Bay and Torbay Marine candidate Special Area of Conservation, due to insufficient capacity within the combined sewer system and/or of treatment works; or
3. The proposal would otherwise increase the risk of overflows of untreated sewage into the environment.

Appropriate measures to reduce the impact of development on the sewerage system, such as natural or sustainable drainage and water conservation measures, will be required, proportionate to the scale and nature of development.

In addition, development of previously developed land must be in accordance with the hierarchy set out in Policy ER2 to ensure that development schemes do not exacerbate sewer flooding and Combined Sewer Outfall (CSO) spills. This will apply in particular, to development that discharges into Hope's Nose CSO in Torquay.

A Health Impact Assessment will be required for new or extended waste water treatment facilities.

Explanation:

6.5.3.21 Waste water treatment facilities are essential infrastructure, necessary to protect human health and water quality.

6.5.3.22 South West Water is responsible for submitting its Asset Management Plan to Ofwat, which sets out a capital maintenance plan and infrastructure required for new development. The current Asset Management Plan, covering 2015-2020, was submitted to Ofwat in December 2013. South West Water does not envisage significant constraints in delivering the overall growth expected within Torbay to 2020. However, the need to upgrade local infrastructure may influence the starting point and timing of any development beyond 2020, until the extra capacity has been delivered.

6.5.3.23 The delivery of critical waste water infrastructure post-2020 will be assessed with South West Water in the context of the masterplanning of the Local Plan's Future Growth Areas. This assessment, along with other considerations set out in Section 7 of the Plan, will inform the five year review of the Local Plan.

6.5.3.24 The Edginswell area of Torquay is served by Buckland Waste Water Treatment Works, located on the Teign Estuary. It is likely that the Buckland facility will require upgrading within the Plan period (possibly within 5-10 years). This is located within the Teignbridge District Council area and serves homes in both authorities. Development proposals in the north of Torbay, for example in the Torquay Gateway area, that need to use this facility may be required to provide financial contributions towards its enhancement.

6.5.3.25 Brokenbury Waste Water Treatment Works (WWTW) at Churston

serves most of Torbay. This is not expected to require significant upgrading during the Plan period to accommodate growth. However, it is important that adjacent land is safeguarded to allow for possible future upgrading. In the event of a requirement for new treatment or pumping buildings materialising, the Local Plan will support the provision of such infrastructure provided it does not give rise to unacceptable environmental impacts.

6.5.3.26 Notwithstanding the capacity of Brokenbury WWTW itself, the Torbay Infrastructure Delivery Study (2012) suggests that there is likely to be a requirement to upgrade sewers in Paignton over the Plan period. Upgrading to existing sewers would be part of South West Water's capital maintenance programme. New development will be required to minimise run-off into the combined sewer, for example through the use of sustainable drainage measures.

6.5.3.27 Much of Torbay has combined sewers, which places an additional load on the network, especially as the effects of climate change become more apparent. Spills are defined as potential impacts caused by flood events that lead to consequential discharges from the land via Combined Sewer Outfalls (CSO), particularly at Ilsham/Hopes Nose. As a result these may lead to changes in the physical and/or chemical conditions of the overlying water above the qualifying features of the SAC (for example reefs) such as changes in temperature, turbidity, salinity and increases in nutrients and organic matter.

6.5.3.28 The Council, in partnership with South West Water, commissioned an assessment of Sewer Capacity in Torbay (2014) to consider the deliverability of the Torbay Local Plan within Torbay's sewer

capacity. This confirmed that the Local Plan is deliverable within the strategic sewer network's capacity. However the Study requires water efficiency measures, and reduction in water run-off from urban creep to be achieved. Consequently new development will be required to have separate foul and storm water drainage systems. Details of these should be submitted at the planning application stage. In addition, Water Sensitive Urban Design (WSUD) and Sustainable Drainage Systems (SUDS) is recommended to reduce the impact of climate change and urban creep (for example, as a result of hardstandings). The Council will support measures to reduce the amount of storm water and grey water (for example, from run-off, washing or cooking) going into the shared sewer. Policy ER2 deals with water management in more detail.

6.5.3.29 Another option considered by the Torbay Infrastructure Delivery Study (2012) is the possibility of a new trunk sewer serving the north and west of Paignton (see Policy SDP3). Much of the development in this area is likely to arise after 2020 due to the need to address strategic sewerage issues, among other factors. These will be addressed through the development management process.

6.5.3.30 It is important that water quality of the Marine candidate Special Area of Conservation is not harmed by pollutants or outfall in storm events. Natural England is the advisory body with responsibility for such matters. Because of concerns about the capacity of Torbay's waste water infrastructure, possible overflows of untreated sewage into the water environment and impact on bathing water quality, all planning applications should be supported by details of how the proposed development will be drained and waste water dealt with. Such details, and details of mitigation measures, will be required at application stage, and not left to consideration through conditional approval. Details should be proportionate to the scale of the proposal.

6.5.3.31 For appropriate new developments, the Council will consider the use of natural sewage treatment methods (including reedbeds) and sustainable drainage measures. Some of these are promoted by the Torbay Green Infrastructure Delivery Plan (2011), and South West River Basin Management Plan (2009). This will help meet Water Framework Directive objectives, which the Council will ensure are not undermined by development.

6.5.4 Minerals

Policy M1 Minerals extraction

The process of identifying, appraising, designing and implementing proposals for new or disused sites for minerals extraction will be subject to the following criteria:

1. The need for the mineral, taking account of aggregate landbanks for Devon;
2. Likely effects on designated sites of environmental and historic importance, geodiversity or biodiversity;

3. Impact on the surface water flow regime and groundwater sources;
4. Compatibility with surrounding land uses, including historic character and landscapes, and in particular protected landscapes such as AONB;
5. Proximity to local communities and the need to maintain and enhance the local landscape character and setting of settlements;
6. Proximity to primary end use markets and ease of access by road or alternative transport modes;
7. The ability for a site or sites to deliver significant contributions to habitat creation and priority species as well as geodiversity gains where applicable;
8. The provision of Pollution Prevention Plans, including a method statement for management of all potentially polluting activities; and
9. There are no unacceptable impacts on human health, noise-sensitive properties and aviation safety; unavoidable noise, dust and particle emissions or vibrations should be controlled, mitigated or removed at source.

Extensions to existing/disused sites will be given priority over new sites, subject to environmental acceptability. The cumulative effects of activities and sites will also be considered.

Proposals for the extraction of building stone that demonstrate a local need for the mineral (such as the repair of heritage assets) will be supported, subject to the above criteria and other relevant Policy requirements of this Plan.

An acceptable programme of progressive working throughout its life, early restoration and after-use should be submitted.

Explanation:

6.5.4.1 Paragraph 145 of the NPPF requires Mineral Planning Authorities (MPAs) to plan for a steady and adequate supply of aggregates. Torbay Council is meeting this requirement by cooperating in the preparation of a Devon Local Aggregate Assessment with the other Mineral Planning Authorities in the County and Region. As part of this work, it has been established that the potential aggregate resources within Torbay are limited to limestone, for which Devon has a landbank

equivalent to 53 years. Torbay is adequately served by two existing limestone quarries in South Devon (Stoneycombe at Kingskerswell and Linhay Hill at Ashburton), each of which has sufficient reserves to last beyond the Plan period. Consequently, it is not considered necessary for Torbay to make provision for further land-won aggregate resources in the Plan period.

6.5.4.2 The Council has worked closely with Devon County Council in the preparation

of the Devon Minerals Plan 2011-2031. This sets out the vision and objectives for minerals planning in Devon, together with a policy framework to maintain supply and limit the impacts of their working.

6.5.4.3 Limestone aggregate was available from Yalberton Tor Quarry (previously the only active quarry in Torbay) but this site now has planning approval for the operation of recycling aggregates, at which point its extraction permission was revoked. The site will still contribute to the sustainable supply of recycled aggregates.

6.5.4.4 The extraction of building stone within the Devon area is very limited and non-existent in Torbay. Previous quarrying at Berry Head in Brixham has had a large impact on the Head's appearance, and significant quarrying here would be likely to conflict with the area's landscape and biodiversity designations. However, the Strategic Stone Study 2012 (a Devon-wide study identifying the significant stone types used in the past and their potential current sources) indicates

that there is a need for a range of building stone which is not available at present. The protection of locally important building stone is addressed in Policy M2 below. Proposals for extraction would be considered in the context of Policy M1.

6.5.4.5 The geology of Torbay is considered unlikely to contain significant deposits of fossil fuels, such as shale gas, that would be commercially exploitable. However, any proposals for mineral extraction, exploration, appraisal and production, including hydraulic fracturing ('fracking') will be assessed against Policy M1 and other relevant Policies in the Plan.

6.5.4.6 The Water Framework Directive would apply to any major works affecting the quality, quantity or flow of surface water. The Technical Guidance to the NPPF (2012) sets out the additional guidance in relation to mineral extraction (including the need to address issues relating to dust, noise, stability and restoration).

Policy M2 Maximising the use of secondary and recycled aggregates

The Council will support developments that promote and maximise the use of secondary and recycled aggregates.

Sites for the reception, processing and distribution of secondary and recycled aggregates will be supported, subject to meeting other Policy requirements of this Plan, near to the source of raw materials in the following locations:

1. Industrial areas and previously developed land;
2. Within existing, proposed or suitable former minerals developments; and
3. Co-located with existing or proposed waste management facilities.

Proposals should satisfy criteria 2 to 9 in Policy M1. Any new development that might constrain the effective operation of existing facilities will be resisted.

Explanation:

6.5.4.7 In order to secure their long-term conservation and make best use of mineral resources, the NPPF (Paragraph 143) states that MPAs should safeguard the potential for the production of secondary and recycled minerals. Producing recycled aggregate helps to reduce demand for primary aggregates. The Council will seek to safeguard existing and any proposed minerals recycling facilities, for the reception and processing of construction and demolition wastes. The main source of alternative aggregates arises from construction, demolition and excavated waste (often referred to as CDE waste). Policies W1, W4 and SS14 also seek to reduce the amount of raw materials in construction, minimise waste production and to maximise

the use of secondary and recycled aggregates. Yalberton Tor Quarry now has planning approval for the operation of recycling aggregates. Policy TA1 encourages the consideration of alternative modes of transport to move aggregates. The jointly prepared annual Devon-wide Local Aggregate Assessment includes an assessment of all aggregate supply including secondary and recycled sources. Although secondary aggregates (which in Devon are derived from china clay waste and ball clay waste, or potentially incinerator bottom ash) are unlikely to be generated in Torbay, any facility for their processing would be considered in the context of this Policy.

Policy M3 Preserving and safeguarding of limestone resources and key local building stone

The Council will seek to safeguard important mineral resources and sites. The use of local building stone in new development and for restoration purposes (particularly of heritage assets) will be encouraged. The redevelopment of buildings constructed in local stone should ensure the re-use or salvage of such material.

Any proposal on or in the vicinity of an important mineral resource, including a Mineral Safeguarding Area, should demonstrate that it will not cause unnecessary sterilisation or prejudice the future extraction of important minerals or building stone on these sites.

Explanation:

6.5.4.8 Minerals are a finite resource. The NPPF requires that proven mineral resources should be protected by designation as Mineral Safeguarding and Mineral Consultation Areas to avoid being needlessly sterilised by non-mineral development.

6.5.4.9 In order to allow flexibility in demand and ensure long-term supply, Devon County Council (Torbay's neighbouring MPA) has identified the need for safeguarding of aggregate and mineral resources for future generations, some of which lie adjacent to Torbay's boundary. In consultation with Devon

County Council and consistent with this approach, Torbay has identified an area of Devonian Limestone as a resource which lies largely in the south of Torbay from the River Dart valley at Galmpton across the northern part of the Brixham Peninsula from Churston to Berry Head.

6.5.4.10 A Mineral Safeguarding Area (MSA) is shown on the Policies Map. Its identification has been based on the known location of the resource (British Geological Survey records) but aligned to field boundaries predominantly in the undeveloped area to prevent unnecessary sterilisation of the mineral resource. The MSA does not state the quality of the resource or presume that the resource will be worked, nor does it preclude all development. However, dependent on the scale and location of any proposed development, an assessment may be required of the likely effect on the mineral resource beneath or adjacent to the development site.

6.5.4.11 Traditional stone forms a strong element underpinning the character of many of Torbay's individual buildings and conservation areas. The use of local materials, building methods and details helps to enhance local distinctiveness. Imported stone does not often reflect this local distinctiveness and can detract from the stone in older buildings, harming the character of the area. It is therefore necessary to protect key local stone types both now and in the future, for the ongoing maintenance and restoration of some of our most important historic buildings, the preservation and

enhancement of conservation areas and the maintenance of local distinctiveness (see Policies SS10 and HE1). It is envisaged that access for small-scale, limited extraction for key local stone (to meet a specific need) may be required, subject to environmental and amenity impact.

6.5.4.12 Torbay is fortunate in being able to source a suitable traditional building stone (limestone) at Stoneycombe, Kingskerswell, adjacent to Torbay. A number of potential building stone quarries are identified within Torbay in the Strategic Stone Study (2012). However, there is only one location, at Berry Head Quarry in Brixham, where extraction of limestone required for conservation purposes is currently viable. Any major development in the vicinity of this quarry (50 metres) will require consultation with the MPA to consider whether such development will result in the loss of such facilities / resources, whether it would prevent their future operation and whether there is a need for small-scale extraction for the repair of heritage assets.



7. DELIVERY AND MONITORING

7. DELIVERY AND MONITORING

7.1 Introduction

7.1.1 It is important that the Local Plan is capable of being implemented, rather than being simply a wish list of unrealistic proposals. The first part of this section considers delivery mechanisms, which are critical to planning for a successful Torbay. Broadly, these fall into the following interrelated areas:

i) **Delivery through partnership:** Neighbourhood Planning, Torbay Development Agency, Heart of the South West Local Economic Partnership and other public/private partnerships.

ii) **Measures to grant planning permission:** Either through a planning application or by extending the right to carry out developments without an express planning permission.

iii) **Funding mechanisms:** To help provide infrastructure, including s106 Planning Obligations, Community Infrastructure Levy and New Homes Bonus.

iv) **Monitoring and review:** Annual monitors and five yearly reviews.

7.2 Delivery through partnership

7.2.1 The Localism Act 2011 and National Planning Policy Framework have shifted power downwards towards local communities, by the creation of neighbourhood plans. Neighbourhood plans allow communities to add considerable detail to promote growth equal to, or higher than, the Local Plan. When adopted, they are part of the formal development plan and have weight in decision-making. They should be in general conformity with the Local Plan but should not promote less development than set out in the Plan. Once 'made' (or adopted) and in general conformity with the Local Plan, neighbourhood plans take precedence over non-strategic policies in the Local Plan.

7.2.2 Two types of body are able to bring forward neighbourhood plans. Neighbourhood forums and parish councils are able to prepare neighbourhood development plans, which are able to bring

forward development above local plan levels. They are also able to bring forward Neighbourhood Development Orders, which can extend permitted development rights for development that local areas wish to see.

7.2.3 Torbay is a Neighbourhood Plan Frontrunner and has a very ambitious programme of full neighbourhood plan coverage, running parallel with Torbay Local Plan production. Three Neighbourhood Plans are being prepared, one each for Brixham Peninsula, Paignton and Torquay.

7.2.4 These Neighbourhood Plans are intended to be a key delivery vehicle of the Local Plan. In particular they will allocate medium term (years 6-10) sites from the pool of developable land identified in the SHLAA. They will also play an important part in the delivery of development in Future Growth Areas. More detail on the proposed

five yearly reviews of the Local Plan and maintaining an up-to-date housing trajectory are set out later in this Section.

7.2.5 To help deliver the Local Plan, as well as adding detail and value to Neighbourhood Plans, the Council has proposed the preparation of a number of masterplans. A masterplan for Great Parks, Paignton was completed in December 2013. This followed a three day community workshop (Enquiry by Design approach).

7.2.6 Four more masterplans have been commissioned. Two of these are delivery-focused masterplans for Torquay and Paignton Town Centres and both were Adopted by the Council in June 2015 as Supplementary Planning Documents (SPDs). A third covers the growth area of Torquay Gateway and was Adopted by the Council in December 2015 as an SPD. The fourth masterplan focuses on West Paignton / Collaton St Mary. This was Adopted by the Council as an SPD in February 2016. These masterplans have had a high degree of community engagement during their preparation.

7.2.7 It is intended that the masterplans will be incorporated into the neighbourhood plans. However, if this does not take place, for example because of timing issues, their status as Adopted Supplementary Planning Documents will aid delivery in these Key locations through the development management process.

Torbay Development Agency and public private partnership

7.2.8 The Council is only one player in the development process. A wide range of other infrastructure providers are involved in ensuring that development has physical,

environmental and social infrastructure. More details are set out in the Torbay Infrastructure Delivery Study (2012).

7.2.9 The Torbay Development Agency is a public/private partnership organisation charged with enabling development, securing funding and promoting regeneration sites for development. It is responsible for the Council's Economic Strategy as well as working with developers to bring forward development of key sites, particularly where the Council has an interest in development land.

7.2.10 The TDA and Council are developing a Housing Strategy, which will guide the implementation of sustainable development of the growth areas identified in this Plan.

7.2.11 The Heart of the South West Local Enterprise Partnership (HoSW LEP) covers Plymouth, Torbay, Somerset and Devon. This area provides a home for 1.6 million people and has an output of £28 billion (GVA 2011) per annum. Torbay Council, Torbay Development Agency and the HoSW LEP have a close working relationship, which has supported the production and publication of a new Strategic Economic Plan for the LEP area. Torbay Council will continue to work closely with the HoSW LEP, and other partners in the LEP area, to deliver the Strategic Economic Plan.

7.3 Measures to grant planning permission

Measures to grant planning permission, either through a planning application or by extending the right to carry out developments without an express planning permission

7.3.1 The Local Plan seeks to promote sustainable development and regeneration by providing a supportive and cohesive environment for investment by both the public and private sectors. Developers are an indispensable part of this process. The Council therefore seeks to enable and encourage sustainable development. Policy SS3 sets out a presumption in favour of sustainable development. This reflects the Government's approach set out in the NPPF (in particular Paragraph 14).

7.3.2 The Council wishes to extend the range of developments that do not require express permission, subject to relevant safeguards. Measures include Neighbourhood Planning Orders, Local

Development Orders and Local Enterprise Areas.

7.3.3 The Council and TDA will work with the Local Enterprise Partnership to secure and promote Local Enterprise Area status for appropriate areas, which will include a package of measures to enable investment and development to come forward quickly, with certainty and clarity.

7.3.4 The Council and TDA will bring forward other measures to support businesses and encourage inward investment. In particular it will promote Local Development Orders to grant a range of uses/buildings that can be developed without express planning consent in appropriate industrial areas, and subject to appropriate environmental safeguards. It is intended to pilot several LDOs within the first five years of the Local Plan, in partnership with the TDA and local businesses.

7.4 Funding

Funding mechanisms to help provide infrastructure, including s106 Planning Obligations, Community Infrastructure Levy and New Homes Bonus

7.4.1 This Section looks at how proposals can be funded. The planning system provides several mechanisms, including the Community Infrastructure Levy, s106 Planning Obligations (also variously referred to as s106 Agreements, s106 Contributions, s106 Obligations) and similar legal agreements, and the Government's New Homes Bonus payments. Other mechanisms, such as

Tax Increment Finance and the Regional Growth Fund will also be used to help meet infrastructure needs. The following Paragraphs also highlight the issue of gaps in funding availability and impact on deliverability.

7.4.2 The TDA has established a Growth Fund, targeted at Torbay's growing businesses. The Growth Fund complements the proposed LDOs to be introduced by the Council.

7.4.3 Planning permission should not

be bought or sold. However, the financial benefits of an application may be a material consideration (see box below).

Community Infrastructure Levy (CIL)

7.4.4 The Community Infrastructure Levy (CIL) is a tax on developments that create 100 square metres of new floorspace, or new-build dwellings. Social housing and developments used for charitable purposes are exempt from CIL.

7.4.5 CIL can be used by local authorities to help pay for the infrastructure needed to support development identified in an up-to-date development plan. It can be used for a wide range of physical, social

and environmental capital, but cannot be used to remedy existing deficiencies unless new development would exacerbate these problems. CIL must be related to viability and cannot be used as a policy tool in its own right.

7.4.6 The Localism Act requires that a “meaningful proportion” of funding is spent in the neighbourhood where development arises. The Government has confirmed that this is 15%, as a minimum, or 25% where a Neighbourhood Plan has been ‘made’ (or adopted).

7.4.7 A CIL Charging Schedule has been prepared in conjunction with the Local Plan. The ‘Regulation 123’ List indicating where the Council intends to spend CIL will be published on the Council’s website.

Financial considerations and planning permission: what the law says

Section 143 of the Localism Act 2011 amends Section 70 of the Town and County Planning Act 1990 to set out that a local planning authority should have regard to material considerations in dealing with applications:

- (a) The provisions of the development plan, so far as material to the application;
- (b) Any local finance considerations, so far as material to the application; and
- (c) Any other material considerations.

Local finance considerations are defined to mean the following: (a) a grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown, or (b) sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy.

S106 Planning Obligations

7.4.8 S106 Planning Obligations are still needed to deal with direct site mitigation matters. By law these must be:

a) Necessary to make the development acceptable in planning terms;

- b) Directly related to the development; and
- c) Fairly and reasonably related in scale and kind to the development.

7.4.9 In some instances it will be preferable to use s106 Planning Obligations to

provide infrastructure, particularly for urban extensions and larger scale development that creates a demonstrable need for infrastructure or facilities. Legal rules are in place to prevent ‘double dipping’, i.e. using CIL and s106 for the same purpose.

7.4.10 From April 2015, it has not been possible to pool s106 Planning Obligations for more than five developments. However, s106 Planning Obligations may be pooled for non-CIL chargeable items such as monitoring.

7.4.11 It is intended to address and seek the following through s106 Planning Obligations:

- 】 Site acceptability matters such as landscaping, servicing and direct access (may also be carried out through s278 Agreements under the Highways Act 1980).
- 】 Town centre management/policing and mitigation, where an application gives rise to specific issues.
- 】 Affordable housing, including off-site contributions.
- 】 Specific infrastructure, including green infrastructure needed for major developments (where not CIL-funded).
- 】 Monitoring, where an application gives rise to specific monitoring costs, for example holiday occupancy, shared accommodation and remediation.

7.4.12 Where the imposition of s106 Planning Obligations is argued to render development unviable, the Council will negotiate obligations sought on the basis of an independent assessment of viability. However, because they are necessary to make development acceptable in planning terms, there will be instances where reducing s106 Planning Obligations or other requirements on viability grounds would render development unsustainable.

New Homes Bonus

7.4.13 New Homes Bonus is intended to create a “powerful, simple, predictable and effective incentive” (DCLG) to local authorities and communities to facilitate housing growth. The scheme match funds average council tax receipts for six years following a new house being registered for council tax, or net number of empty homes being brought back into use, with an extra payment for affordable homes.

7.4.14 New Homes Bonus is not ring-fenced, but the Government expects local authorities to work closely with communities affected, in order to understand their priorities for investment and to communicate how the money will be spent and the benefits it will bring.

7.4.15 The amount of money that New Homes Bonus generates will depend directly on growth levels, and the future of the NHB scheme. The Local Plan’s target of around 400-500 new homes a year would result in a New Homes Bonus raising about £8 million over the next five years, allowing for a two year period of economic recovery. In addition, of course, additional dwellings increase the council tax base. The NHB scheme is currently the subject of Government review.

Other funding streams

7.4.16 The Council and other partners, such as the Torbay Development Agency, will work to maximise funding from other sources such as the Regional Growth Fund to support sustainable growth in Torbay. The Regional Growth Fund is a funding pot intended to boost private sector job creation in areas that are heavily dependent on public sector employment, and therefore vulnerable to reductions in public spending.

7.4.17 It is unlikely that key infrastructure projects can be fully funded through council tax, revenue support grant and other forms of direct funding. Therefore top-up funding and other sources of income will be needed to deliver ‘big-ticket’ items such as the South Devon Highway. The Government has confirmed that local authorities will be able to use anticipated CIL revenues to support prudential borrowing.

7.4.18 The Government introduced the Business Rate Retention Scheme in 2010, which allows local authorities to borrow against future uplift in business rates.

7.4.19 In recent years, Torbay has been successful in winning funding for smaller transport schemes from a variety of government-backed sources. From 2011/12, a Local Sustainable Transport Fund became available, offering a combination of capital and revenue to provide support for projects that offer a range of benefits. This would be additional to the yearly allocation of funding through the Council’s Local Transport Plan.

7.4.20 The Council is working with key infrastructure providers such as South West Water and the Environment Agency to ensure that their asset management plans and projects are geared towards securing funding to support Torbay’s growth trajectory.

Bridging the funding gap

7.4.21 The Torbay Infrastructure Delivery Study (2012) indicated that there is likely to be an infrastructure funding gap of around £150 million over the Plan period, based on a ‘wish list’ of all infrastructure. This is

too great for sources such as CIL to meet, and therefore the Study recommends a prioritisation of essential, necessary and desirable infrastructure. In any event there is more scope for certainty over the next five years, as infrastructure costs of matters such as the South Devon Highway are known, as well as the location of development.

7.4.22 Masterplans for Torquay and Paignton Town Centres, Torquay Gateway and Collaton St Mary, Paignton will include project prioritisation, identifying funding opportunities for major development schemes and delivery of infrastructure to support major developments. Masterplanned areas may require an element of cross-subsidy of employment land (Use Class B space) by higher value uses, either through equalisation agreements or s106 Planning Obligations.

7.4.23 During the first part of the Plan period, it is proposed to put key infrastructure in place, in particular:

- 】 South Devon Highway (completed at the end of 2015);
- 】 Super-fast broadband, improved internet and Wi-Fi access;
- 】 Improved bus and rail access in strategic corridors;
- 】 Western Corridor (on-line) Improvements (Tweenaway Cross is now complete, other works within 5 years);
- 】 Flood protection/climate change resilience: seven key schemes are identified for funding from the Environment Agency (which are likely to be on-going beyond five years); and
- 】 Investment in renewable energy, such as combined heat and power.

7.5 Monitoring and review

Delivery timescales and outcomes

7.5.1 It is appropriate to divide the Local Plan into phases of delivery. Clearly there is greater certainty in the earlier phases of the Plan.

7.5.2 Whilst not hard and fast, the Plan may be divided into the following phases:

Years 1-5 (2012/13-2017/18)

Years 6-10 (approximately 2018/19-2023/24)

Years 11-15 (approximately 2024/25-2029/30)

Years 15+ (approximately 2030/31 and beyond).

7.5.3 The earlier stages of the Plan will be focused upon achieving economic recovery and putting key infrastructure in place, in order to support a longer term 'virtuous circle' of sustainable growth.

7.5.4 The early phase (to 2017/18) will also seek to regenerate the built-up area, especially the town centre and waterfront areas of all three towns. There will be a rationalisation of holiday accommodation and provision of mixed use development on allocated Local Plan sites at Yalberton and White Rock, Paignton. Great Parks, Paignton will also be largely developed within this time frame.

7.5.5 In this first phase of the Local Plan, it is considered possible to meet the housing requirement on land with planning permission, land already allocated for development (such as those locations noted above), or brownfield windfall sites. It is not considered necessary to allocate new greenfield sites for housing until the later phases of the Plan. However, the housing land supply position will be monitored to

ensure a rolling 5 year supply, in accordance with Policy SS12.

7.5.6 Delivery of the Local Plan will be kept under review in order to determine whether it is sustainable to release further land (see below).

7.5.7 The medium term (approximately 2018-2023) will continue the urban regeneration focus identified above, and continue to build out any outstanding development at Great Parks, Yalberton and White Rock, Paignton. This is likely to include the development of sites identified in the SHLAA. The details of these will be identified in the neighbourhood planning process.

7.5.8 In the longer term, the focus on urban regeneration will continue. Post-2024 (or post-2030, depending on market delivery and the condition and availability of infrastructure), Future Growth Areas will be developed, subject to review of the Local Plan (see below).

7.5.9 Detailed phasing, jobs/housing targets and critical infrastructure are set out in the Spatial Strategy and Strategic Delivery Policies in Sections 4 and 5 of the Local Plan.

Annual monitoring

7.5.10 The Local Plan promotes an approach of 'plan, monitor and manage', ensuring that development is delivered in a sustainable way and is at the heart of the Plan. The Council carries out a series of annual topic monitors. These are essential to gauging the delivery of the Local Plan Aspirations and related objectives (set out in Section 3.1), the place-making Policies in Section 5 and development management Policies in Section 6.

7.5.11 Specifically the following items are

monitored annually:

- 】 Planning permissions, commencement and completion of housing (including affordable housing, source (brownfield, greenfield, conversion) and type of dwelling);
- 】 Market signals such as house prices/ earnings ratio and assessments of demand;
- 】 Economic indicators such as earnings, GVA, Indices of Deprivation (when statistics become available);
- 】 Demographic indicators (Population and Household projections, subject to ONS/ DCLG publication);
- 】 Employment space, and floorspace/jobs created;
- 】 Town centre vacancy rates and other health indicators.

7.5.12 Data derived from these Monitors will feed into the Council's Authority Monitoring Report (AMR), which will report on development plan progress and a wide range of relevant local spatial planning matters. Specifically, housing and affordability data will be monitored to ensure that a rolling 5 year housing supply is maintained.

Five year Local Plan review

7.5.13 To be effective the Local Plan needs to be kept up-to-date. The National Planning Practice Guidance indicates that plans will need to be reviewed, in whole or part, at least every five years.

7.5.14 The NPPF requires every effort to be made objectively to identify and then meet housing, business and other development needs in an area, insofar as this does not conflict with other policies in the Framework. Policy SS12 sets out how the delivery of housing will be adjusted to ensure an ample supply against economic and other needs within the targets in Policy SS1.

7.5.15 A more major review of the Local Plan will be carried out on a five yearly basis, to assess need, and whether this can be met within Torbay. It will also need to consider the characteristics of the local housing market area as part of the on-going co-operation with neighbouring authorities. Consideration of these factors may entail an adjustment either upwards or downwards of growth trajectories as part of a refreshed Local Plan.

7.5.16 It is recognised however that proposals for new development may be brought forward prior to this formal five year Plan review. Any such proposals would need to be accompanied by comprehensive supporting evidence to demonstrate, firstly, that there will be no unacceptable harm to biodiversity and landscape considerations and, secondly, that the proposal was consistent with the overall Local Plan Growth Strategy set out in Policy SS1.

7.5.17 Torbay is unusual in that population projections vary greatly depending on migration rates and assumptions about economic success. The Housing Requirement Report (2013) sets out a detailed assessment of housing requirements at 2013. It will be monitored on an annual basis, but a major review will need to be carried out in five years. In particular this review will consider:

Evidence of housing need and demand

- 】 **Demographic trends:** (including ONS population projections, DCLG household projections, birth rates). Torbay's population is largely driven by domestic inwards migration and there is evidence that this has fallen in recent years. In addition, household sizes have remained relatively constant between 2001-11.
- 】 **Economic performance:** (including job creation) from Business Register and

other surveys, against a baseline of 59,000 jobs in 2012 (NOMIS Business Register), unemployment, GVA levels (from NOMIS/ONS data), employment floorspace created (from annual employment monitoring), degree of self-containment. The fully assessed housing requirement set out in the Housing Requirement Report is based on Torbay's economy reversing recent trends and performing very successfully over the next 20 years. Whilst local plans should be positively prepared, they must also be realistic; and growth forecasts may need revising. The Local Plan seeks to minimise the need to travel (for example, by avoiding excessive commuting levels that could arise if the balance between housing and employment get seriously out of step). Therefore progress towards improving the quality and quantity of employment in Torbay will be an important consideration when reviewing the Local Plan.

- ▶ **Market and social signals:** (including land and house prices, rents and lower quartile affordability [via Land Registry, Annual Survey of Hours and Earnings, local agents], updated Strategic Housing Market Assessment (SHMA), housing-related deprivation [via household surveys/Indices of Multiple Deprivation]), waiting list data, homelessness and concealed households.

Supply factors: Environmental capacity (i.e. whether need can be met without harming sustainability matters raised in the NPPF)

- ▶ **Land availability:** Updated SHLAA and Housing Monitor.
- ▶ **Housing Monitor:** (including data on completions, commencements and stock of planning permissions). Relevant to both a 5 year rolling supply and longer-term trajectory of developable sites.
- ▶ **Progress towards providing key infrastructure:** (including, in particular,

highway improvements/provision of sustainable drainage and sewerage capacity). Also progress towards masterplanning of sustainable communities and progress/funding for necessary and desirable infrastructure.

Evidence of environmental impacts

- ▶ **Landscape and biodiversity:** (including mitigation and management, and assessment of off-site impacts such as bathing water quality), through measures such as: Biodiversity Action Plan habitats proposed, created or managed; Landscape and Visual Impact Assessment (LVIA) for any allocations within or affecting the setting of the AONB; other landscape assessments; the 2010 South Hams Greater Horseshoe Bat Guidance and information from masterplans, applications etc regarding bat activity; Site Conditions Assessments for Sites of Special Scientific Interest and European sites; Site Improvement Plans for European sites and; Marine Protection Zone Management Plans.

7.5.18 Assessment of these factors will affect the pace of change and possibly the allocation of longer-term sites. On the basis of the current growth trajectory, the Local Plan assesses that Torbay is able to meet its development land requirements until around 2030. If economic recovery is slower than expected and delivery rates remain constrained by the market or falling demographics, then this stock of land will last considerably longer. Conversely if the economy improves and delivery rates pick up, the timetable for releasing future growth areas will need to be speeded up.

7.5.19 An overarching component of the Council's approach to Local Plan monitoring and review will therefore be the systematic cross-boundary assessment of housing

and commercial need, land availability and development sustainability. Torbay and the adjoining Teignbridge District Council have agreed to a coordinated and positive review of the Councils' Local Plans every five years, taking account of joint monitoring. This process will also involve the other adjoining local planning authority, South Hams District Council.

7.5.20 The review will involve the creation of a South Devon Delivery Review Panel comprising the three local authorities, relevant infrastructure and environmental agencies,

and housing and development interests. This body will oversee the need for and location of further development, including jobs and homes, on a sub-regional basis, taking account of jointly prepared and consistent evidence. This will be necessary in order to inform future reviews of the Local Plans of each of the three local planning authorities.



APPENDIX A

GLOSSARY OF TERMS

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Table 24 Glossary of terms

Term	Definition
Adoption	The final confirmation of the formal status of a Local Plan, made by a Local Planning Authority. This follows the receipt of an Inspector's Report of Examination confirming the overall soundness and legal compliance of the Local Plan.
Affordable housing	Housing that is available for people who cannot afford to buy or rent houses generally available on the open market. It comprises social rented, affordable rented and intermediate housing. 'Low cost market housing' (e.g. small dwellings) is not classified as affordable housing for planning purposes. A full description is included in the NPPF Annex 2 (see 'NPPF' in this Glossary).
Air Quality Management Areas (AQMAs)	Areas designated by local authorities because they are not likely to achieve national air quality objectives by the relevant deadlines.
Agricultural Land Classification	The Agricultural Land Classification provides a method for assessing the quality of farmland to enable informed choices to be made about the future use of land. It defines land according to five grades with Grades 1, 2 and 3 being the best and most versatile for growing crops.
Ancient woodland	Ancient woodland is any wooded area that has been wooded continuously since at least 1600 AD and includes: <ul style="list-style-type: none"> 】 'ancient semi-natural woodland' mainly made up of trees and shrubs native to the site, usually arising from natural regeneration 】 'plantations on ancient woodland sites', areas of ancient woodland where the former native tree cover has been felled and replaced by planted trees, usually of species not native to the site <p>Ancient semi-natural woodland and plantations on ancient woodland sites have equal protection under the NPPF.</p>
Area of Outstanding Natural Beauty (AONB)	Areas of high scenic quality that have statutory protection in order to conserve and enhance the natural beauty of their landscapes. Natural England has a statutory power to designate land as Areas of Outstanding Natural Beauty under the Countryside and Rights of Way Act 2000. Approximately 700 hectares around Brixham and the south of Paignton are within the South Devon Area of Outstanding Natural Beauty
Article 4 Direction	Direction issued by the Council requiring planning permission to be obtained for works that would otherwise be permitted development.

Authorities' Monitoring Reports (formerly Annual Monitoring Report - AMR)	Prepared by planning authorities to monitor progress in achieving strategic planning aims and objectives. Monitoring has regard to specified targets and indicators, for example percentage of development on previously developed land and progress of development plans.
Balanced Growth Strategy	The Adopted Torbay Local Plan defines a Balanced Growth Strategy. This is set out in Policy SS1.
Biodiversity	A range of natural habitats and species of plants and animals essential to maintain the earth's ecosystems.
Biodiversity Action Plan (BAP)	Plan identifying targets to improve and protect biodiversity in an area. The Torbay LBAP (The Nature of Torbay 2006-2016) translates the national, regional and county priorities into local action and also promotes the conservation of species and habitats that are important on a local level to Torbay.
Brownfield site (or previously developed land)	Land that is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure. The definition excludes land in areas such as private residential gardens, parks, recreation grounds and allotments. A fuller list of exclusions is contained in Annex 2 of the NPPF.
Building Research Establishment Environmental Assessment Method (BREEAM)	An environmental assessment and rating method for buildings. It uses measures of performance to evaluate a building's specification, design, construction and use. This includes aspects related to energy and water use, the internal environment (health and well-being), pollution, transport, materials, waste, ecology and management processes.
Building for Life	Where an assessment is undertaken to score the design quality of planned or completed housing developments against 12 criteria. These criteria are intended to help deliver design excellence through functional, attractive and sustainable housing.
Building Regulations	Minimum standards to secure the health and safety of people in or about buildings. They set functional requirements for the design and construction of buildings, the provision of services and fittings, and the conservation of fuel and power and access to facilities. Torbay Council's Building Control Team administers local authority building control in Torbay.
Built-up area (or urban area)	The area of Torbay that is predominantly urban in character and not designated in the Local Plan as either 'countryside area' (Policy C1) or 'undeveloped coast' (Policy C2).
CABE (The Commission for Architecture and the Built Environment)/ Design Council	The Government's advisor on architecture, urban design and public space from 1999 to 2011. CABE has now become part of the Design Council.

Charging Schedule (for CIL)	A list setting out the rates at which Community Infrastructure Levy (CIL) is charged, measured by pounds per square metre of new floorspace.
Closing the Gap	A project to tackle inequalities within Torbay including health, social and economic deprivation. The primary targets for many inequalities are the Wards of Roundham with Hyde, Tormohun and Ellacombe as these Wards have some of the most severe deprivation.
Coastal Change Management Area	An area identified as likely to be affected by coastal change including physical change to the shoreline through erosion, coastal landslip, permanent inundation or coastal accretion.
Code for Sustainable Homes	The Code has now been withdrawn but was a national standard for the sustainable construction and design of new homes. It measures the sustainability of a new home against nine categories, rating the whole home as a complete package. It covers energy/CO2, water, materials, surface water run off, waste, pollution, health and well-being, management and ecology.
Combined Sewer Outfall (CSO)	Where a sewer containing foul and surface water discharges into the sea. The Local Plan seeks to minimise discharges from CSOs.
Community Infrastructure Levy (CIL)	A levy that local authorities in England and Wales can choose to charge on new developments in their area. The money can be used to support development by funding infrastructure that the Council, local community and neighbourhoods want. The charge is based on the size and type of new floorspace (See also Charging Schedule).
Community Investment Areas	Areas of significant deprivation that are the focus for community investment, and where uses that could worsen deprivation are restricted. The Local Plan's CIAs are based on the Super Output Areas that are within the 20% most deprived areas in England in the 2010 Indices.
Community Land Trust	An independent non-profit trust which own or control land and facilities in perpetuity for the benefit of the community.
Community Partnership	Voluntary groups based on the Ward boundaries within Torbay. They provide an opportunity for people who live and work in the Bay to discuss issues of common concern and to understand and influence the way in which services are provided in their area.
Community Plan	A plan developed and prepared by the Torbay Strategic Partnership on behalf of Torbay's residents. It aims to drive forward economic prosperity with a higher quality of life and improved access to jobs.
Connectivity	The directness of links and the density of connections in a transport network. As connectivity increases, travel distances decrease and route options increase, allowing more direct travel, creating a more accessible transport system.
Comparison goods	Clothing and footwear; do-it-yourself goods; household goods and recreational goods.

Conservation Areas	Areas of special architectural or historic interest, designated by virtue of the Planning (Listed Buildings and Conservation Areas) Act 1990.
Contaminated land	Land that has been polluted either by previous uses or naturally occurring contaminants.
Core Tourism Development Areas	First identified by the new Torbay Tourism Strategy 2010-15. They are intended to incorporate the most concentrated areas of holiday accommodation where there is an enhanced holiday atmosphere and a range of visitor services. Many of the areas are those which Council strategies have identified as being a focus for regeneration and investment.
Convenience goods	Food, alcoholic drink, tobacco, newspapers.
Country Parks	Significant places that contribute to England's accessible natural greenspace. Many are located near or within towns and cities and therefore close to where people live. They provide a wide range of opportunities for recreation, health and education and improve the quality of life for their local communities.
Dark Corridors	These include unlit areas such as planting and hedgerows around the built-up area which serve as bat flightpaths and other biodiversity roles. While these areas are likely to have a recreation role, they should be kept unlit and flightpaths maintained (see Policies SS8 and NC1) .
De minimis	Development or activities considered to be too minor to fall within the scope of planning control.
Department for Communities and Local Government (DCLG)	Government department charged with responsibility for planning. Sometimes also referred to as CLG.
Department for Culture, Media and Sport (DCMS)	The Department for Culture, Media and Sport (DCMS) protects and promotes cultural and artistic heritage and helps businesses and communities to grow by investing in innovation.
Deprivation	A measure of poverty based on a number of criteria such as income, economic circumstances and environment. The most recent Indices are the Indices of Deprivation 2015. (See also Community Investment Areas).
Design and Access Statement	A statement made at a pre-planning application stage by a developer, indicating the design principles upon which a proposal is to be based. It may also be submitted in support of a planning application.
Development	The carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land.

Development management	Describes the positive and proactive process of creating sustainable and high quality developments. These developments should respond to the locally determined vision for an area, the needs of local public service providers and the Policies set out in the Development Plan (see below). It requires a focus on outcomes as well as the impacts of a particular development proposal. The Development Management Team at Torbay Council oversees the determination of planning applications.
Development Plan	Development Plan has a specific legal meaning in planning terms. Planning law requires planning decisions to be taken in accordance with the development plan unless material considerations indicate otherwise. (Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990). The Development Plan comprises adopted local plans and made neighbourhood plans. It also includes any “saved” policies from previous plans”
Development Plan Document (DPD)	Introduced as part of the Planning and Compulsory Purchase Act 2004, and amended by Section 112 of the Localism Act 2011, these documents have legal weight. (See also Supplementary Planning Document.)
Devon Metro	Proposals being developed by Devon County Council and Torbay Council which would result in the provision of new stations and services and improved infrastructure across the rail system between Torbay, Exeter and Axminster and associated branch lines.
District Centre	Shopping areas providing a range of key shops and local and associated facilities such as banks and restaurants serving the community. They are larger than local centres.
Duty to Co-operate	A legal duty (created in the Localism Act 2011) on local planning authorities, county councils in England and public bodies to engage constructively, actively and on an on-going basis to maximise the effectiveness of local and marine plan preparation relating to strategic cross-boundary matters.
Economically active	People aged 16 or over who are either in employment or registered unemployed.
Economic development	This includes development within Use Class B (offices, laboratories, high tech, light industry, general industry and warehousing) public and community uses, and main town centre uses such as retail.
Economic Strategy	An Economic Development Strategy provides a vision for a local economy and sets out how it can be realised. Torbay Council’s Strategy was adopted in 2013.
Edge-of-centre	Site within easy walking distance (approx 300 metres) of a town centre.

Employment Land Review	This study was commissioned by Torbay Council to review employment land to inform the emerging Local Plan and to provide guidance on wider regeneration issues. It was produced in 2013 by Peter Brett Associates.
Energy from Waste Plant	Incineration of waste and use of heat generated for heating/electricity.
English Heritage	See Historic England.
Environment Agency (EA)	An executive non-departmental public body responsible to the Secretary of State for Environment, Food and Rural Affairs. Its principal aims are to protect and improve the environment, and to promote sustainable development.
Environmental assets	These range from essential resources like water and air to landscape and historic and archaeological features, which give an area its unique character.
Environmental Impact Assessment (EIA)	The legal requirement for some major developments to have their effect on the environment appraised before the granting of planning permission.
European sites (sites protected under European legislation)	Sites within the European Union (EU) network of classified Special Protection Areas (SPAs) and Special Areas of Conservation (SACs) designated under Article 4 of the EU Habitats Directive (EEC/92/43). Also referred to as Natura 2000 sites. In Torbay, there are two such sites - the South Hams SAC and the Lyme Bay and Torbay Marine SAC (SAC).
Evidence base	The information and data gathered to justify the 'soundness' of the policy approach set out in the Local Plan, including physical, economic, and social characteristics of an area.
Examination	Also Examination in Public (EiP) or Independent Examination. Testing of a local plan by an independent examiner to assess whether the plan has been prepared in accordance with legal requirements and whether it is sound. (See also Tests of Soundness).
Flood Risk Assessment (FRA)	Assessment of risk needed to accompany a submitted planning application in areas subject to risk from flooding. The Environment Agency and Torbay Strategic Flood Risk Assessment detail what the Council would expect to see in a FRA.
Full Objectively Assessed Need For Housing (FOAN)	Term used in Paragraph 47 of the NPPF (and subsequently clarified in the Courts) to refer to the need for market and affordable housing in an area. FOAN is an 'unvarnished' total figure that is not adjusted by constraints or other policy considerations. (See also Housing Requirement).
Future Growth Areas	An area of land, normally greenfield in nature, identified within the Local Plan as one being suitable to accommodate housing or employment future growth, but which is still subject to formal allocation as part of the site allocation process.

Geodiversity	All the variety of rocks, minerals and landforms and the processes which have formed these features throughout geological time. It provides an insight into past climates, earlier environments and life on earth.
(Urban) Geopark	Aims to protect geodiversity and to promote geological heritage to the general public as well as to support sustainable economic development of the area, primarily through the development of geological tourism. In 2007, the English Riviera became 1 of just 57 UNESCO endorsed Geoparks in the world.
Greenfield site	Previously undeveloped land, including private residential gardens. See Annex 2 of the NPPF for a fuller definition and list of what is considered to be greenfield land.
Green Infrastructure (GI)	Network of green spaces and other environmental features. It is a multi-functional resource capable of providing a wide range of environmental and quality of life benefits for local communities.
Green Infrastructure Delivery Plan	Torbay Council, Natural England and Torbay Coast and Countryside Trust produced a delivery plan for Green Infrastructure in April 2011. This strategic document aims to guide the delivery of a healthy Green Infrastructure network in Torbay over the next ten years.
GVA (Gross Value Added)	A measure of economic value and the contribution of each person, producer or area to the economy.
Habitats Directive	EU Directive (92/43/EEC) requiring the conservation of natural habitats and of wild fauna and flora. The Directive set up a network of sites identified as Special Areas of Conservation and requires their protection and management. The Habitats Directive requires Member States to take measures to maintain or restore natural habitats and wild species at a favourable conservation status.
Habitats Regulations Assessment (HRA)	The assessment of impact of land use plans or proposals on European protected sites, required by the Habitats Directive.
Health Impact Assessments	A means of assessing the health impacts of plans and projects and provide an opportunity to promote better public health and well-being.
Heart of the South West Local Enterprise Partnership	The Heart of the South West Local Enterprise Partnership is partnership between the private sector, local authorities, universities and further education across Somerset, Devon, Plymouth and Torbay. Its purpose is to lead and influence economic growth, job creation and prosperity across the Heart of the South West.
Hectare	Metric measurement of land of 10,000 square metres or 100M2 (2.471 acres).

Heritage asset	A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions because of its heritage interest. A heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing).
Historic England	National body with responsibility for protecting the historic environment; provides advice to Central and Local Government on historic building conservation and archaeology. Formerly English Heritage.
Historic environment	All aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped and planted or managed.
Historic Environment Record (HER)	A database of information on all known archaeological and historic sites in Torbay's administrative area, which is available for public inspection. It comprises both primary and secondary sources: original documents, historic maps, learned society journals, antiquarian observations and excavations, aerial photographs and modern archaeological fieldwork.
Historic Parks and Gardens	A listing and classification system for historic parks and gardens similar to that used for listed buildings. The register is managed by Historic England. The listing includes the grounds of large stately homes, small domestic gardens and designed landscapes such as parks and cemeteries.
Household Waste Recycling Centre	A centre for the disposal of household recyclable materials.
Houses in Multiple Occupation (HMOs or HiMOs)	Building or part of a building that is being occupied as a main residence by more than one household, i.e. unrelated people who do not live together as a family and share some facilities such as bathroom or kitchen. HMOs with more than 6 residents are a 'sui generis' use (no specific Use Class) and require planning permission. Class C4 HMO is defined as between 4-6 unrelated persons living together.
Housing density	Ratio of numbers of houses to land area, usually expressed as dwellings per hectare.
Housing requirement	The housing requirement is the housing figure in the Local Plan. It is a policy-adjusted figure that takes into account constraints (see FOAN).
Inert waste	Waste that will not biodegrade or decompose. Includes uncontaminated soil, sand, clay, rocks and glass.
Infilling/infill site	Development within the existing built-up urban form or between existing buildings.

Infrastructure	'Physical infrastructure' refers to facilities as well as roads, water supplies and sewers. Services such as education and health are often termed community or social infrastructure. (See also Green Infrastructure)
Inspectors Report of Examination	A report issued by a planning inspector regarding the planning issues debated at the independent examination of a Development Plan.
Key Diagram	Map showing significant items of infrastructure and locations for strategic growth and regeneration that are integral to the delivery of the Torbay Local Plan strategy. Key diagrams are indicative rather than defining precise boundaries. (See Policies Map).
Landfill	Depositing of waste into or onto the ground.
Landscape character	The distinct and recognisable pattern of elements that occur consistently in a particular type of landscape. It reflects particular combinations of geology, landform, soils, vegetation, land use and human settlement.
Land Use Monitors	Annual monitoring documents prepared by Torbay Council covering housing and retailing. They are used to inform decisions that the Council makes as a planning authority. Together with other evidence, they will be used to inform reviews of the Local Plan.
Listed Buildings	List of buildings of special architectural or historic interest compiled by the Government under the Planning (Listed Buildings and Conservation) Act 1990. Grade I buildings are of the most importance, followed by II*, followed by Grade II.
Live-work unit	A live work unit consists of both a commercial, office and a residential component that is occupied by the same resident.
Local Centres	Areas of shops and similar uses generally serving only the immediate area; smaller than District Centres (excludes parades of shops of purely neighbourhood significance. (See Neighbourhood Centres).
Local Development Framework	The Local Development Framework (LDF) is a non-statutory term used to describe a folder of documents, which includes all the local planning authority's local development documents.
Local Development Orders	Introduced with the Planning and Compulsory Purchase Act 2004. They allow local authorities to extend permitted development rights for certain forms of development.
Local Development Scheme	A schedule setting out details of development plan and related documents being prepared by the local planning authority, including details of their content and timetabling.
Local Economic Partnership (LEP)	Locally owned partnerships between local authorities and businesses to determine economic priorities and undertake activities to drive economic growth and create jobs. Torbay is part of the Heart of the South West Local Enterprise Partnership.

Local Green Space	Through local and neighbourhood plans, communities are able to identify for special protection green areas of particular importance to them. By designating land as Local Green Space they are able to rule out new development other than in very special circumstances. Identifying land as Local Green Space should therefore be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or reviewed, and be capable of enduring beyond the end of the plan period.
Local Nature Reserve (LNR)	Sites of importance for wildlife, geology or public enjoyment, designated under national legislation. The principal aim is to care for the natural features which make the site special. Some LNRs are also nationally important Sites of Special Scientific Interest.
Local Planning Authority (LPA)	Council responsible for carrying out forward planning and development management functions (eg. Torbay Council)
Local Plan	Local Plans are documents that set out a vision and a framework for the future development of the area. Together with any neighbourhood plans that have been adopted, an adopted local plan forms the development plan for the area. Planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise (required by section 38(6) of the Planning and Compulsory Purchase Act 2004).
Local Planning Regulations	Town and Country Planning (Local Planning)(England) Regulations 2012. Regulations governing all key stages of local development plan preparation, including public participation, consultation, consideration of representations, formal 'submission' to central government, independent examination and adoption.
Local Transport Plan 3 (LTP3)	A strategy and implementation plan for the improvement of local transport systems in Torbay and Devon. The Strategy covers the period 2011-2026, the Implementation Plan covers a 5 year period from April 2011.
Localism Act 2011	The Localism Act is legislation covering a range of matters intended to shift power from government back into the hands of individuals, communities and councils. The planning provisions of the Act include the power to abolish Regional Spatial Strategies and the introduction of the 'duty to co-operate' in plan preparation. The Localism Act also allows communities to prepare neighbourhood plans.

Manual for Streets	Manual for Streets was published in March 2007 with a further version, Manual for Streets 2 in September 2010. It provides guidance for practitioners involved in the planning, design, provision and approval of new streets, and modifications to existing ones. They aim to increase the quality of life through good design which creates more people-oriented streets. Although the detailed guidance in the documents apply mainly to residential streets, the overall design principles apply to all streets within urban areas.
Marine Conservation Zone	Marine Conservation Zones are protected areas at sea where human activity is restricted to protect wildlife and habitats. These Zones allow sustainable use of the sea whilst protecting a range of species and habitats from damaging activity.
Masterplan	A type of planning brief outlining the preferred usage of land and the overall approach to the layout of an area. To provide detailed guidance for subsequent planning applications.
Material consideration	A matter that is relevant to making a planning decision. This is ultimately a matter for the Courts. The NPPG 21b-009 indicates that material considerations generally relate to the use of land in the public interest, rather than the protection of purely private interests.
Major Development	A formal definition of Major Development is set down in the Town and Country Planning (Development Management Procedure) (England) Order 2015. Broadly this includes: Developments of 10 or more dwellinghouses or residential development on sites of 0.5 hectare or more; the provision of a building or buildings where the floorspace to be created by the development is 1,000 square metres or more; waste and minerals development.
Mineral Planning Authority (MPA)	Authority responsible for minerals management. Torbay is the Mineral Planning Authority for Torbay.
Minerals Safeguarding Area (MSA)	An area designated by an MPA which covers known deposits of minerals which are desired to be kept safeguarded from unnecessary sterilisation by non-mineral development. The NPPF places an obligation on all MPAs to define Mineral Safeguarding Areas (MSAs) and adopt appropriate policies to ensure that deposits of local and national importance are not needlessly sterilised. The presence of an MSA does not preclude other forms of development and does not presume that the defined resources will be worked. They simply provide an alert to the fact that minerals may be sterilised by non-mineral development and this should be taken into account by the planning process.
Modal split	The types of method of transport used (walking, bus, car).
Monitor	See Land Use Monitor.
Municipal waste	Waste collected and disposed of by local authorities, generally consisting of household and similar waste.

National Nature Reserve (NNR)	Some of the finest sites in England for wildlife and geology. Natural England is empowered to declare NNRs. The Berry Head to Sharkham Point NNR comprises the Berry Head promontory and Sharkham Point.
National Planning Policy Framework (NPPF)	The National Planning Policy Framework was published in 2012 and sets out the Government's planning policies for England and how these are expected to be applied. The NPPF introduces a presumption in favour of sustainable development. The NPPF replaces most previous Planning Policy Guidance Notes (PPGs) and Planning Policy Statements (PPSs).
National Planning Practice Guidance (NPPG)	Online practice guidance which complements the NPPF and expands upon Government planning policy. It is published as an online resource at http://planningguidance.planningportal.gov.uk/blog/guidance . Often referred to as Planning Practice Guidance (PPG).
Natural England	A non-departmental public body of the UK government. It aims to protect and improve England's natural environment and encourage people to enjoy and get involved in their surroundings.
Neighbourhood Centres	Small shopping parades of purely neighbourhood significance. (See also Local Centres).
Neighbourhood Development Orders	Orders that enable communities to use neighbourhood planning to permit the development they want to see without the need for planning permission. They may be introduced by neighbourhood forums.
Neighbourhood Forum	Community group charged with producing neighbourhood plans and Local Development Orders.
Neighbourhood Planning/Plans	Neighbourhood plans have been taken forward by the Localism Act. Neighbourhood Forums and Parish Councils are able to use neighbourhood planning powers to establish planning policies for the development and use of land in their neighbourhood. Torbay Council is part of the Neighbourhood Planning Front Runners Scheme, which has enabled it to secure Government funding to support the preparation of three Neighbourhood Plans in Torbay.
New Homes Bonus	Designed to create a fiscal incentive to encourage local authorities to facilitate housing growth. It aims to ensure the economic benefits of growth within a local area are more visible, by matching the council tax raised on increases in effective stock, over a six year period.
Out-of-centre	A location that is clearly separate from a town centre, but not necessarily outside the urban area.
Park and ride	An arrangement whereby car users are encouraged to leave their vehicles in identified car parks on the periphery of the town or city and complete the remainder of their journey by some form of public transport, usually bus or rail.

Permitted development	Some, usually small scale, development that does not need to obtain planning permission, by virtue of being exempted in the Town and Country Planning (General Permitted Development) Order 2015 or being granted by a Local Development Order.
Place-making	Place-making is a multi-faceted approach to the planning, design and management of public spaces. It capitalises on a local community's assets, inspiration, and potential, with the intention of creating public spaces that promote people's health, happiness, and well-being.
Plan, monitor and manage	A method of assessing growth levels that sees population as one factor in estimating numbers and seeks to review needs during the plan period. Generally regarded as a more measured approach to planning than 'predict and provide' (see below).
Planning Inspectorate (PINS)	Executive Agency for DCLG dealing with planning appeals, national infrastructure planning applications, examinations of local plans and other planning-related and specialist casework in England and Wales.
Planning Obligations (or s106 Planning Obligations, or Section 106 Agreements)	Legal agreements negotiated, usually in the context of planning applications, between local planning authorities and persons with an interest in a parcel of land, and intended to make acceptable development which would otherwise be unacceptable in planning terms. Obligations can also be secured through unilateral undertakings by developers. The CIL Regulations 2010 set out tests of lawfulness regulating s106 Planning Obligations (which are reiterated in Paragraph 204 of the NPPF).
Policy	Course of action to be pursued. Adopted Torbay Local Plan Policies have weight in determining development proposals (see Development Plan above). Introductory text and Explanations (also called reasoned justification) do not carry this full weight but are still material considerations.
Policies Map	A map which geographically explains the policies and proposals in the Local Plan.
Predict and provide	A method for determining the need for development for new housing on the basis of population projections.
Primary Shopping Area	Defined area in town centres where retail development is concentrated (generally comprising the primary shopping frontages and those secondary frontages which are adjoining and closely related to the primary shopping frontages)
Primary Shopping Frontage	The main shopping frontages of core town centre shopping streets, comprising predominantly Use Class A1 retail shops.
Purple Flag	An accreditation scheme that recognises excellence in the management of town and city centres at night, run by the Association of Town Centre Management. Torquay Harbourside was awarded a Purple Flag in 2011, which has been retained.

Recycling	Processing of waste to produce a useable raw material or product; sometimes also loosely applied to the re-use of materials.
Reduction (waste)	<ol style="list-style-type: none"> 1 Reducing the volume of waste by compaction. 2 The use of technology that generates less waste. 3 Production of longer lasting products with lower pollution potential. 4 Removing material from the waste stream e.g. through composting green waste.
Regionally Important Geological Site (RIGS)	Site of geological interest, which are selected locally. They are now more formally called Local Geological Sites
Regulation 123 List	A list of infrastructure projects that the Council wishes to fund through CIL. (See Charging Schedule).
Residential Density	The ratio of numbers of dwellings to site area (occasionally people to site area).
Scheduled Ancient Monuments	An archaeological site that is considered to be nationally important and is included on a list of sites compiled by the Department for Culture, Media and Sport. They are protected by law.
Secondary Shopping Frontages	Shopping frontages adjoining but outside the main shopping core, where a mixture of retail and non-retail uses usually exist.
Self-build housing	The Planning Practice Guidance applies the term self-build (or custom-build) to anybody who is building their own home or has commissioned a home from a contractor, house builder or sub-contractor. Self-builders must own the property and occupy it as their principal residence for a minimum of three years after the work is completed. (See also Policy H3 of the Local Plan).
Sequential test	<ol style="list-style-type: none"> 1 Test that seeks to locate town centre uses in town centres first (see Paragraph 24-27 of the NPPF). Out-of-town centre retail proposals may also be subject to an impact test. 2 Test seeking to direct development away from areas of high flood risk. In certain instances development may be permitted in areas of flood risk, subject to an exceptions test. (See Paragraphs 100-105 of the NPPF and NPPG 07-018 and 07-019).
Sheltered housing	Housing designed to meet the needs of people such as the active elderly who require a degree of extra security, which may be provided by a warden.
Shoreline Management Plan (SMP)	An assessment of the risks associated with coastal processes. SMPs include an action plan that prioritises flood and erosion risk management schemes that are needed over the short, medium and long-term and where they will be required.

Sites of Special Scientific Interest (SSSIs)	The very best wildlife and geological sites in England. Natural England now has responsibility for identifying and protecting SSSIs under the Wildlife and Countryside Act 1981 (as amended).
Small and Medium Enterprise (SME)	An independent business managed by its owner or part-owners and having a small market share either by number of employees or turnover.
Soundness	To be considered 'sound', a Local Plan must be justified (founded on robust and credible evidence and be the most appropriate strategy) and effective (deliverable, flexible and able to be monitored).
South Devon Highway	Scheme to improve the A380 between Penn Inn, Newton Abbot and Kerswell Gardens, Torquay with construction of the South Devon Highway (formerly referred to as the South Devon Link Road or Kingskerswell Bypass). This provides a new carriageway to improve the link between Torbay and South Devon, bypassing the village of Kingskerswell. This is seen as vital for unlocking economic benefits for the area as well as delivering significant environmental gains. The South Devon Highway opened in December 2015
South West Devon Waste Partnership (SWDWP)	Plymouth City Council, Devon County Council and Torbay Council joined together to form this partnership in order to procure a sustainable long term solution for dealing with residual waste. This responds to the need to reduce the amount of waste being disposed of at landfill sites.
Superfast broadband	Generally comprising broadband with download speeds of 24 megabytes per second or faster.
Special Areas of Conservation (SAC) and candidate Marine SAC	Areas which are given special protection under the European Union's Habitats Directive. They provide increased protection to a variety of plants, animals and habitats and are intended to support global efforts to conserve the world's biodiversity. The legal requirements relating to the designation and management of SACs in England are set out in The Conservation of Habitats and Species Regulations 2010.
Special needs housing	Housing for people with special needs. This can include a degree of support but can also include specially designed features to meet the needs of people with disabilities.
Starter home	A house that is usually the first which a person or family can afford to purchase, often using a combination of savings and mortgage financing. More recently the Government has further defined it as a newly-built property that must be sold to someone who is a first-time buyer below the age of 40, with a discount of at least 20 per cent off the market value.
Sterilisation (of minerals)	Related to rendering mineral deposits unworkable by permitting other development on land containing such minerals.
Strategic development	Although there is no legal definition (as opposed to major development), strategic development is taken by the Torbay Local Plan to mean development of 30 dwellings or more, or development of importance to meeting overall Local Plan or NPPF objectives.

Strategic Environmental Assessment (SEA)	<p>A process to ensure that significant environmental effects arising from policies, plans and programmes are identified, assessed, mitigated, communicated to decision makers and monitored, and that opportunities for public involvement are provided. European Union Directive (2001/42/EC) requires national, regional and local authorities to carry out strategic environmental assessment on certain plans and programmes.</p> <p>SEA is encompassed by the wider Sustainability Assessments.</p>
Strategic Flood Risk Assessment (SFRA)	<p>A Strategic Flood Risk Assessment (SFRA) Level 1 is an overview of flood risk within a specific area. It aims to provide general guidance to planning officers, developers and other interested people about areas where flood risk is an issue. The Level 2 Assessment is a more detailed study considering the detailed nature of the flood hazard, taking account of the presence of flood risk management measures such as flood defences.</p>
Strategic Housing Land Availability Assessment (SHLAA)	<p>An assessment required by the NPPF to establish realistic assumptions about the availability, suitability and likely viability of land for housing.</p>
Strategic Housing Market Assessment (SHMA)	<p>An assessment (required by Paragraphs 47 and 159 of the NPPF) of all sources of housing need within an area. It should be prepared with neighbouring authorities where housing market areas cross administrative boundaries.</p>
Strategic Transport Network	<p>Includes all major roads and rail routes.</p>
Supplementary Planning Document (SPD)	<p>Established by the Planning and Compulsory Purchase Act 2004, an SPD can be used to provide guidance on a range of local planning matters and provide greater detail about policies contained within development plan documents. SPDs cannot make policy or allocate land, but can provide guidance on implementation.</p>
Sustainability Appraisal (SA)	<p>An appraisal of the economic, environmental and social effects of a plan from the outset of the preparation process to allow decisions to be made that accord with sustainable development.</p>
Sustainable communities	<p>Places where people want to live and work, now and in the future.</p>

Sustainable development	<p>“Development which meets the needs of the present without compromising the ability of future generations to meet their own needs” (Brundtland, 1987). It relates to social progress that recognises the needs of everyone, the protection of the environment, prudent use of natural resources and the maintenance of high and stable levels of growth and employment. In its widest sense, it aims to ensure that the decisions reached now do not prejudice the ability of future generations to enjoy an acceptable quality of life.</p> <p>The NPPF sets out the Government’s view of what sustainable development means in practice for the planning system.</p>
Sustainable (Urban) Drainage Systems (SUDS)	Water management practices and facilities designed to drain surface water in a manner that will provide a sustainable approach to drainage rather than using ‘traditional’ practice of routing run-off through a pipe to a watercourse. (See also Water Sensitive Urban Design).
Tax Increment Financing (TIF)	Government proposal for new powers that allow local authorities to borrow against predicted growth in their locally-raised business rates. This borrowing can be used to fund key infrastructure and other capital projects, which will support locally-driven economic development and growth.
Tests of Soundness	Tests set out in the NPPF (Paragraph 182) requiring local plans to be positively prepared, justified, effective and consistent with national policy.
Torbay Coast and Countryside Trust (TCCT)	Charitable Trust with responsibility for the management and conservation of Country Parks, woodland and coastal areas in Torbay.
Torbay Connected	A project that aims to improve the legibility of places and spaces through art and cultural commissioning and development. Provides guidelines on how sound legibility principles can be incorporated into development proposals and the refurbishment of public spaces.
Torbay Design Review Panel	The Torbay Design Review Panel was established in 2008 by the Torbay Culture and Environment Partnership to promote the highest possible quality of design in Torbay and to ensure that the built environment matches the quality of the natural environment.
Torbay Development Agency (TDA) / Torbay Economic Development Company (TEDC)	Established by Torbay Council to promote the physical and economic regeneration of Torbay and to deliver benefits to the local community. It provides a range of business support services and is a key promoter of inward investment to the area, job creation and improvement of the local skills base.
Tor Bay Harbour Authority	The Tor Bay Harbour Authority manages the whole of Tor Bay Harbour.

Torbay Strategic Partnership (TSP)	A body that brings together at a local level the different parts of the public sector as well as the private, business, community and voluntary sectors so that different initiatives and services work together and support each other.
Torbay Town Centres Company	An organisation set up in 2008 to co-ordinate and manage the town centres within the Torbay area and to facilitate the designation of Business Improvement Districts.
Tourism attractions and facilities	A range of accommodation, attractions, amenities etc. that contribute to the role and holiday and leisure character of area. They include (but are not limited to) holiday accommodation, cafes, restaurants (and other food and drink uses), local shops, museums, zoos, historical and cultural uses, leisure uses, and other recreational attractions for sport or maritime activities.
Traffic management	Measures to control and alleviate traffic problems. Demand management measures seek to reduce single occupancy car use in order to relieve pressure on the network.
Transport hierarchy	Range of transportation modes seeking to ensure that as much emphasis as possible is given to sustainable transport such as walking, cycling and public transport.
Travel Plan	Plan that should be drawn up by developers, employers and operators of premises to encourage staff and customers to use alternative means of transport to the private car.
Tree Preservation Order (TPO)	An Order made by a Council to protect a tree (or trees) because of amenity value. It can be applied to a single tree, group of trees or woodland.
UNESCO	The United Nations Educational, Scientific and Cultural Organisation (UNESCO) is an agency of the United Nations that sponsors programmes to promote education, communication and the arts.
Urban Landscape Protection Area (ULPA)	Largely undeveloped land within or close to urban areas which is protected because of its local landscape, amenity or ecological value.
Use Classes Order	Order that classifies certain types of use of buildings (and in some cases land) into broad categories (for example, Use Classes A, B, C and D). Changes of use within a specific Use Class are not classed as development and do not need planning permission. The current Use Classes Order came into force in 2015.
Waste hierarchy	A 'ladder' of waste management methods in order of their sustainability. The hierarchy comprises waste prevention at the top, followed by minimisation and recovery (for example, reuse, recycling and composting) and finally disposal (such as by landfill).
Waste Planning Authority (WPA)	Local Authority with responsibility for land use planning control over waste management. Torbay Council is a WPA.

Water Sensitive Urban Design (WSUD)	Incorporating sustainable drainage measures into the built environment to minimise surface water draining into combined sewers.
Western Corridor	An area to the west of Paignton focused on the A380 / A3022 running from Churscombe Cross, Marldon to Windy Corner, Galmpton.
Wildlife Sites	<p>County Wildlife Site (CWS) A County Wildlife Site is a discrete area of land, water, foreshore or seabed which is considered to be of nature conservation significance for its constituent wildlife (or biodiversity) in, at least, a County context.</p> <p>Unconfirmed Wildlife Site (UWS) Sites identified as having possible interest but not fully surveyed. Some of these sites will be areas of significant wildlife interest.</p> <p>A Proposed County Wildlife Site is an area that has been surveyed but is awaiting consideration from the CWS Designation Panel; a site that has been surveyed at an unfavourable time of year and is awaiting a re-survey, or an area that has been identified through a survey carried out by a third party, and meets the CWS criteria, but the landowner has declined CWS designation.</p> <p>Other Sites of Wildlife Interest (OSWI) These are sites that have been surveyed but they do not reach CWS standard. They will include the old designation of Local Wildlife Site (LWS).</p>
Windfall sites	In general windfall sites are defined as sites that are not identified as available in the development plan. The Torbay Local Plan specifically defines windfalls as sites of 5 or fewer net new dwellings, which were below the threshold considered in the SHLAA. However, larger windfall sites are also likely to arise during the Plan period.



APPENDIX B
SCHEDULE OF
SUPPORTING DOCUMENTS

APPENDIX B

SCHEDULE OF SUPPORTING DOCUMENTS

1. Background and approach

Following the adoption of the Torbay Local Plan 1995-2011 in 2004, and the introduction of the new Local Development Framework process in the same year, the Council carried out a review of the key spatial planning issues likely to be faced in Torbay over the following three decades. This work was carried out in the context of preparation of the (then) proposed new Torbay Core Strategy.

This review has been an ongoing process, accompanied by regular monitoring of the availability and suitability of evidence, in order to help the authority to build the basis for an effective planning policy framework to guide future development in the area.

The requirement for local plans to be based on thorough evidence has been embraced in guidance set out in the NPPF (Paragraphs

158 to 177). The Council recognises the importance of ensuring that the direction taken by the Council's development plan documents has been informed by relevant data.

The Local Planning Authority accordingly commissioned a number of research and evidence base studies to support the evolution of the original Torbay Core Strategy and subsequently the emerging Torbay Local Plan, 'A Landscape for Success'. In some instances, preparation of these documents has also drawn on a number of studies of wider corporate interest. In each case, the LPA has sought to secure appropriate involvement of local communities, stakeholders and commercial interests. This programme of work is considered to be proportionate to the issues that need to be addressed and available resources.

2. Local Plan evidence base

An initial list of key evidence base studies was reproduced in Appendix C of the Proposed Submission Local Plan, published in February 2014. It was updated in July 2014 when the Plan was formally submitted to the Government. The list subsequently formed the basis of the Local Plan Examination Library, which contains a far more comprehensive set of documents (see www.torbay.gov.uk/localplanexamination). The Library comprises Local Plan Submission Documents, other related Local Plan material and a full set of additional material submitted to the Local Plan

Examination, in addition to the evidence base studies set out in this Appendix.

The schedule below provides details of the key documents that have informed the evolution of the Local Plan, from its early preparatory stages to the close of the Local Plan Examination in October 2015. As such, they provide the relevant evidence and guidance for the new policy framework set out in the Adopted Torbay Local Plan 2012-2030.

3. Local Plan evidence base documents

Community

Torbay Community Plan 2011 - Working for a healthy, prosperous and happy Bay (Torbay Council, 2011)

Public Health Annual Report 2013 (Torbay Council/NHS)

Torbay Playing Pitch Strategy (Torbay Council, February 2015)

Torbay Sports Facilities Strategy (Torbay Council, February 2015)

Strategy for the Arts and Creative Industries in Torbay 2006 – 2016 (Torbay Council, undated)

Housing

Devon-Wide Traveller Accommodation Assessment (RRR, 2015)

Review of the demand for gypsy and traveller accommodation in Torbay (Torbay Council, February 2014)

Exeter and Torbay Strategic Housing Market Assessment (ORS, 2007)

Exeter and Torbay Strategic Housing Market Assessment Update (ORS, 2011)

Torbay Housing Requirement Report (PBA, May 2013)

Torbay Strategic Housing Land Availability Assessment plus Appendices (PBA, August 2013)

Economy

Torbay Tourism Strategy 2010-2015, plus Action Plan and Executive Summary (Torbay Council, 2009)

Torbay Economic Strategy 2013-2018 (TDA, July 2013)

Torbay Employment Land Review (PBA, October 2013)

Tor Bay Harbour and Maritime Strategy 2007-2017 'Catching the Wave' (undated)

Tor Bay Harbour Authority Port Masterplan (Royal Haskoning DHV, July 2013)

Torbay Retail Study Update plus Executive Summary (GVA Grimley, September 2011)

Torbay Retail Study Update plus Summary (GVA Grimley, December 2013)

Torquay Gateway Masterplan, Edginswell, (Adopted Supplementary Planning Document - Torbay Council, December 2015)

Torquay Town Centre Masterplan (Adopted Supplementary Planning Document - Torbay Council, June 2015)

Paignton Town Centre Masterplan (Adopted Supplementary Planning Document - Torbay Council, June 2015)

Collaton St Mary Masterplan (Adopted Supplementary Planning Document - Torbay Council, February 2016)

Transportation

Local Transport Plan 3 – Implementation Plan [Part B: Torbay] (Devon County Council and Torbay Council, March 2011)

Local Transport Plan – Devon and Torbay Strategy 2011 – 2026 (Devon County Council and Torbay Council, April 2011)

Western Corridor Saturn Modelling Study (Parsons Brinkerhof, 2010)

Infrastructure and resource management

Torbay Municipal Waste Management Strategy (Torbay Council, 2008)

Torbay Waste Sites Identification – Appraisal Report plus Site Assessments (Appendix) (Torbay Council, September 2013)

Devon Waste Plan plus Policies Map; Pre-Submission Consultation (Devon County Council, December 2013)

Devon Waste Plan plus Policies Map: Adopted Plan (Devon County Council, December 2014)

Devon Minerals Plan 2011-2031: Options Consultation Paper (Devon County Council, March 2011)

Devon Minerals Plan 2011-2031: Pre-Submission Consultation (Devon County Council, August 2015)

Devon Minerals Plan 2011-2031: Cross-boundary Minerals Issues Report (Devon County Council, June 2012)

3rd Devon Local Aggregate Assessment 2004-2013 [First Draft, May 2014 / Final Version: December 2014] (Devon County Council, December 2014)

Strategic Stone Study - A Building Stone Atlas of Devon (English Heritage, September 2012)

Torbay Contaminated Land Strategy (Torbay Council, 2001; reviewed 2005)

Torbay Energy and Climate Change Strategy 2014-2019 (Torbay Council, July 2014)

Strategic Flood Risk Assessment Level 1 (Torbay Council, October 2008)

Strategic Flood Risk Assessment Level 2 (Torbay Council, December 2010)

South Devon and Dorset Shoreline Management Plan (South Devon and Dorset Coastal Advisory Group, 2011)

Torbay Green Infrastructure Delivery Plan (TCCT / Torbay Council / Natural England, April 2011)

Torbay Sustainable Energy Assessment (AECOM, November 2011)

Torbay Infrastructure Delivery Study: Volumes 1 and 2 [including Viability Report] (Roger Tym & Partners / Baker Associates, January 2012)

Torbay Whole Plan and CIL Viability Study (PBA, February 2014)

Torbay Water Cycle Study (Torbay Council, 2012)

Hydraulic Modelling of Sewer Capacity in Torbay (AECOM, September 2014)

Environment

Torbay Wildlife Study (DWT, 1991)

Torbay Wildlife Study (Update) (DWT, 1998)

Torbay Biodiversity and Geodiversity Action Plan (TCCT, 2007)

Torbay Landscape Character Assessment: Parts 1 and 2 (Enderby Associates, 2010)

Brixham Urban Fringe Study (Enderby Associates, 2011)

South Hams SAC - Greater horseshoe bat consultation zone planning guidance (BAT1) (Natural England, June 2010)

Review of Urban Landscape Protection Areas (ULPAs) (Torbay Council, June 2013)

South Devon AONB Management Plan 2014-2019 (South Devon AONB Unit, 2014)

Berry Head Management Plan: 2007 - 2017 (Torbay Coast and Countryside Trust / Torbay Council, August 2008)

Torbay Heritage Strategy (Torbay Council, April 2011)

Torbay Building Heights Strategy (Urban Initiatives, December 2011)

Monitoring

Torbay Authority Monitoring Report 2013 (Torbay Council, December 2013)

Torbay Housing Land Monitor [produced annually] (Torbay Council, July 2014)

Torbay Retail Monitor [produced annually] (Torbay Council, July 2014)

South Devon and Torbay 2014/2015 Joint Strategic Needs Assessment [JSNA] (Torbay Council, 2014)



APPENDIX C

POOL OF HOUSING AND EMPLOYMENT SITES

APPENDIX C POOL OF HOUSING AND EMPLOYMENT SITES

Sites within the three tables in this Appendix have been identified in one, or a combination of, the following documents: Strategic Housing Land Availability Assessment (SHLAA), Torbay Housing Land Monitor, and Employment Land Review (ELR). SHLAA references begin with 13, or letter T. Torbay Housing Land Monitor numbers either have no prefix, or prefix C (Conversion) or R (Redevelopment).

Sites in Table 25 below are 'Committed development sites' (shown on the Policies Map as greyed out areas labelled with a prefix 'CDS', for information purposes). They are sites for 6 or more dwellings (net) and had planning permission or were considered imminently deliverable at the time of the Proposed Submission Plan (February 2014). Consequently, at the time of Local Plan adoption (December 2015), some of these sites may have time-expired or been constructed.

The Council monitors housing land on an annual basis in order to update its Five Year Housing Land Supply (of which the sites below form part) and will keep this list under review.

Table 25 Committed development sites

Map Site Label	Site Name	Town	Planning Application Reference	SHLAA/Housing Land Monitor Reference
CDST1	Suite Dreams Hotel, Steep Hill, Maidencombe	Torquay	P/2006/1183 P/2008/0832 P/2011/0356	C811
CDST2	English House Hotel, Teignmouth Road	Torquay	P/2007/2059 P/2011/0181 P/2011/0361	C817
CDST3	Scotts Bridge/ Barton (remainder)	Torquay		H1.1
CDST4	Hatchcombe Lane, Scotts Bridge/Barton	Torquay	P/2006/1340 P/2008/1534	196/B6/H1.3
CDST5	Beechfield Avenue, adj. former landfill site	Torquay	P/2009/0775	937/H1.4
CDST6	Area 4 South, Scotts Meadow	Torquay	P/2010/1388	988

Map Site Label	Site Name	Town	Planning Application Reference	SHLAA/Housing Land Monitor Reference
CDST7	331 Teignmouth Road	Torquay	P/2005/0740	R687
CDST8	Adj. 85 Shrewsbury Ave & 46-48 Coombe Lane	Torquay	P/2010/0139	310
CDST9	Snooty Fox, Fore Street	Torquay	88/0547; 97/0999;02/0895 P/2004/2047 P/2013/1125	R288a
CDST10	South Devon Hotel, St. Margarets Road	Torquay	P/2007/1228 P/2013/0057	832
CDST11	Westhill Garage, Chatto Road	Torquay	P/2009/0422 P/2012/0078	R754
CDST12	178 St. Marychurch Road	Torquay	P/2008/1268 P/2009/1268 P/2012/1214	R740
CDST13	1 Warbro Road	Torquay	P/2007/1949 P/2010/1383	R726
CDST14	Zephyrs Hotel, St. Albans Road	Torquay	P/2011/1309	C1050
CDST15	Fairlawns, 27 St. Michaels Road	Torquay	P/2008/0356/MPA P/2011/0505	C826
CDST16	The Pines, 78 St. Marychurch Road	Torquay	P/2011/0552	R772
CDST17	Torre Station Yard	Torquay	P/2012/1155	992
CDST18	Palace Hotel, Babbacombe Road	Torquay	96/1367; 99/0653 01/0436; 04/0812	R297/H1.8
CDST19	Queensway (Rainbow Estate)	Torquay	94/0865; 95/0167 P/2007/2095, P/2007/01146	11
CDST20	Le Papillion, 18 Vansittart Road	Torquay	P/2008/1256	C967
CDST21	Country House, 62 Ellacombe Road	Torquay	P/2008/1654	C956

Map Site Label	Site Name	Town	Planning Application Reference	SHLAA/Housing Land Monitor Reference
CDST22	Country House, 62 Ellacombe Road	Torquay	P/2008/1704	C956
CDST23	Land adj. 84 Grange Road	Torquay	P/2007/1420	864
CDST24	Tor Manor, Tor Church Rd	Torquay	P/2004/0243 P/2005/1491 P/2007/0677 P/2008/0705 P/2012/0632	C453
CDST25	111 Abbey Road	Torquay	P/2011/1391 P/2012/0472	C1053
CDST26	16 Market Street	Torquay	P/2008/0124	866
CDST27	Walton Lodge, Middle Warberry Road	Torquay	P/2006/1149 P/2009/0049 P/2011/0015	224
CDST28	Bishops Court Hotel, Lower Warberry Road	Torquay	P/2008/1623	C900
CDST29	Spa View, Lower Warberry Road	Torquay	P/2009/1344 P/2012/1107	R762
CDST30	3 Melville Place, Melville Street	Torquay	P/2006/1921 P/2009/1243	R723
CDST31	Conway Court Hotel	Torquay	P/2010/1080	T807
CDST32	42 Warren Road	Torquay	P/2011/1085	C1038
CDST33	Former Royal Garage, Torwood Street	Torquay	P/2009/0690	R758
CDST34	Torbay Court, Chelston Road	Torquay	P/2006/0982 P/2012/0127	C716
CDST35	Pavilion/Marina Car Park	Torquay		T833
CDST36	Lincombe Hall Hotel	Torquay	P/2010/0738	R759

Map Site Label	Site Name	Town	Planning Application Reference	SHLAA/Housing Land Monitor Reference
CDST37	Hollicombe Gas Works, Torbay Road	Torquay	P/2008/0114	985/H1.10
CDSP1	Meadowfield Hotel, 36 Preston Down Road	Paignton	P/2006/1508 P/2008/1296 P/2010/0782	R712
CDSP2	1 Fortescue Road	Paignton	P/2011/0906	C1080
CDSP3	Great Parks Phase 2	Paignton		H1.11
CDSP4	13-39 Langridge Road	Paignton	P/2011/1056	R777
CDSP5	Oldway Mansion and Fernham	Paignton	P/2011/0925	986
CDSP6	Great Parks Phase 2	Paignton		H1.12
CDSP7	25-35 Smallcombe Road	Paignton	P/2011/0777	R776
CDSP8	Kings Ash House, Kings Ash Rd	Paignton	P/2006/1571 P/2010/0666 P/2012/1223	R733
CDSP9	Former Paignton Police Station, Southfield Road	Paignton	P/2011/0324	R775
CDSP10	Former Library, Courtland Road	Paignton	P/2013/0324	HC233
CDSP11	10 Palace Avenue	Paignton	P/2010/1227	943
CDSP12	Seaford Hotel, 2-4 Stafford Rd	Paignton	P/2011/1201	C1081
CDSP13	40-88 & 73-79 Hayes Rd; 149-179 Totnes Road	Paignton	P/2009/1179	R774
CDSP14	Totnes Rd Service Station (adj. 141), Totnes Road	Paignton	P/2005/1398 P/2007/1370 P/2011/0395	R693

Map Site Label	Site Name	Town	Planning Application Reference	SHLAA/Housing Land Monitor Reference
CDSP15	Seaford Sands Hotel, 17 Roundham Rd	Paignton	P/2011/0105	R782
CDSP16	Yannons Farm	Paignton	P/2012/1351 P/2010/0289 P/2009/1287	956
CDSP17	Marine Park Holiday Centre, Grange Road	Paignton	P/2009/1084/ MOA P/2012/1078 P/2012/1079	954
CDSP18	White Rock	Paignton	P/2011/0197	
CDSP19	R/O 10-16 & 18-20 Gibson Rd	Paignton	P/2008/0206	880
CDSB1	Churston Court Farm	Brixham	P/2008/0088 P/2010/0177	C887
CDSB2	Berry Head Garage, Berry Head Road	Brixham	P/2005/1381 P/2010/0902	R697
CDSB3	Wall Park	Brixham	P/2013/0785	T700
CDSB4	Brixham Town Centre	Brixham		H1.18
CDSB5	Paint Station	Brixham	P/1989/1577 P/2006/1066	163/H1.19
CDSB6	Douglas Avenue	Brixham	P/2011/0470	908
CDSB7	Sharkham (Former Dolphin Holiday Camp)	Brixham	P/2004/1032 P/2007/1064 P/2008/1386 P/2010/1083	782/H1.22

Sites in Table 26 below have been identified, principally in the SHLAA, as sites that have potential for development, primarily for housing (shown on the Policies Map with diagonal grey hatched lines, for information purposes). They are subject to consideration in Neighbourhood Development Plans.

Table 26 Possible Neighbourhood Plan housing sites

Map Site Label	Site Name	Town	SHLAA Reference
TNPH1	Holiday Parks, Kingkerswell Road	Torquay	13232

Map Site Label	Site Name	Town	SHLAA Reference
TNPH2	Torquay Holiday Park	Torquay	T738
TNPH3	Land to North of Nuthatch Drive	Torquay	T749
TNPH4	Starpitten Lane	Torquay	T818
TNPH5	Land off Plantation Way	Torquay	T748
TNPH6	Land to the r/o Lichfield Avenue	Torquay	T926
TNPH7	Site 2, Higher Cadewell Lane	Torquay	T853
TNPH8	Site 1, Higher Cadewell Lane	Torquay	T852
TNPH9	Foxlands, York Road	Torquay	13060
TNPH10	Torquay Girls Grammar School, Shiphay Manor	Torquay	T814
TNPH11	Quintaville, Junction Reddenhill Road	Torquay	13020
TNPH12	Torre Station	Torquay	T856a
TNPH13	16/18 Lower Thurlow Road	Torquay	T876
TNPH14	Palace Hotel (tennis courts)	Torquay	T761
TNPH15	Richwood Hotel, 20 Newton Road	Torquay	13160
TNPH16	Transport Yard, Berachah Road	Torquay	T721
TNPH17	300-302 Union Street	Torquay	T753
TNPH18	Sherwell Valley Garage	Torquay	T841
TNPH19	Tor House and Gospel Hall - Former B & Q	Torquay	T754
TNPH20	Zion Methodist Church, Zion Road	Torquay	T872
TNPH21	Town Hall Car Park	Torquay	TM001
TNPH22	Garage Premises, Laburnum Street	Torquay	T794
TNPH23	Barclay Court Hotel, 29 Castle Road	Torquay	13011
TNPH24	Land R/O Market Street	Torquay	T887
TNPH25	Ansteys Lea Hotel, Babbacombe Road	Torquay	T864
TNPH26	Municipal Chambers, Union Street	Torquay	T795
TNPH27	Lower Union Lane/Union Street	Torquay	TM003, 13228, 13221 T782
TNPH28	Site opposite Market, Market Street (former Blockbuster site)	Torquay	13237
TNPH29	Braddons Street disused playground, Stentiford Hill	Torquay	T726
TNPH30	Roebuck House, Abbey Road	Torquay	13003
TNPH31	Lower Union Lane Office Block	Torquay	13221
TNPH32	22-28 Union Street	Torquay	13053

Map Site Label	Site Name	Town	SHLAA Reference
TNPH33	3-9 Pimlico	Torquay	T801
TNPH34	Pimlico	Torquay	13229
TNPH35	39 Abbey Road	Torquay	13001
TNPH36	Shedden Hall Hotel, Shedden Hill Road	Torquay	T884
TNPH37	Adjacent to Abbey Hall, Rock Road	Torquay	R149
TNPH38	Brampton Court Hotel, St Lukes Road South	Torquay	13176
TNPH39	8-9 Braddons Hill Road West	Torquay	13100
TNPH40	Melville Street Joinery Works	Torquay	R232
TNPH41	40-44 Swan Street	Torquay	13045
TNPH42	Lansdowne Hotel, Old Torwood Road	Torquay	T881
TNPH43	Fleet Walk Shopping Centre	Torquay	T766
TNPH44	The Golden Palms, Cary Parade	Torquay	T834
TNPH45	The Terrace Car Park	Torquay	HC090
TNPH46	Hermosa, Higher Woodfield Road	Torquay	T877
TNPH47	Ingoldsby House, Chelston Road	Torquay	T802
TNPH48	Land adjacent Broadley Drive, Livermead	Torquay	T707
TNPH49	La Rosaire, Livermead Hill	Torquay	13024
TNPH50	Lee Hotel and Restaurant, Torbay Road	Torquay	T893
PNPH1	Land at Preston Down Road North	Paignton	13195
PNPH2	Land at Preston Down Road South	Paignton	13196
PNPH3	Vauxhall Garage, Torquay Road	Paignton	T709
PNPH4	Land at 4-6 Eugene Road	Paignton	13123
PNPH5	Modern Motoring, Torquay Road	Paignton	13189
PNPH6	63 Manor Road	Paignton	13148
PNPH7	Great Parks Phase 2	Paignton	H1.13
PNPH8	Land r/o Quarry Terrace, Marldon Road	Paignton	13166
PNPH9	Lyndhurst Hotel, Lower Polsham Road	Paignton	13069
PNPH10	Vacant Land, Warefield Road	Paignton	13056
PNPH11	Crossways Shopping Centre	Paignton	13240
PNPH12	Lighthouse, Esplanade Road	Paignton	13066
PNPH13	Victoria Square/Multi Storey Car Park	Paignton	T787

Map Site Label	Site Name	Town	SHLAA Reference
PNPH14	Corner of Hyde Rd and Torbay Rd	Paignton	13242
PNPH15	4 Palace Avenue	Paignton	13162
PNPH16	Station Lane	Paignton	H1.014
PNPH17	Queens Park and Rugby Club	Paignton	13250
PNPH18	Silverlawns Nursing Home, 31 Totnes Road	Paignton	13051
PNPH19	Angleside House, Cleveland Road	Paignton	T718
PNPH20	Paignton Harbour	Paignton	T857
PNPH21	20 Roundham Road	Paignton	T797
PNPH22	Sunhill Apartments, 19 Alta Vista Road	Paignton	13006
PNPH23	Council Depot, Borough Road	Paignton	T826
PNPH24	Grange Road Golf Driving range	Paignton	T825
PNPH25	Land off Grange Road	Paignton	T824
PNPH26	Alan Kerr Garage, Brixham Road	Paignton	13105
BNPH1	5 Broadsands Road	Paignton	HC213
BNPH2	Churston Golf Club, Dartmouth Road	Brixham	987
BNPH3	Knapman's Builder's yard, off Stoke Gabriel Road	Brixham	13264
BNPH4	Fishcombe Cove	Brixham	13126
BNPH5	Northcliff Hotel	Brixham	T822
BNPH6	Torbay Industrial Estate	Brixham	T791
BNPH7	74 New Road	Brixham	13155
BNPH8	Brixham Police Station, Rea Barn Close	Brixham	13168
BNPH9	King's Barton, Summer Lane	Brixham	T886
BNPH10	Beverley Court, Upton Manor Road	Brixham	T894
BNPH11	St. Mary's Industrial Estate	Brixham	H1:021

Note: Where car parks are indicated, any development is subject to retention of sufficient car parking in the area.

Sites in Table 27 below have been identified, mainly in the Employment Land Review, as sites that have potential for development, primarily for employment investment (shown on the Policies Map with vertical grey hatched lines, for information purposes) and are subject to consideration in Neighbourhood Development Plans.

Table 27 Possible Neighbourhood Plan employment sites

Map Site Label	Site Name	Town	Source
TNPE1	Brown's Bridge	Torquay	ELR2013
TNPE2	Torbay Hospital	Torquay	ELR2013
TNPE3	Woodlands Trading Estate	Torquay	ELR2013
TNPE4	Town Hall Car Park	Torquay	ELR2013
TNPE5	Lower Union Lane/ Union Street	Torquay	ELR2013
PNPE1	Crossways	Paignton	SHLAA2013
PNPE2	Victoria Square/Multi- Storey Car Park	Paignton	ELR2013
PNPE3	Corner of Hyde Rd/ Torbay Rd	Paignton	SHLAA2013
PNPE4	Station Lane/Great Western Car Park	Paignton	SHLAA2013
PNPE5	Paignton Harbour	Paignton	SHLAA2013
PNPE6	Yalberton Industrial Estate	Paignton	ELR2013
PNPE7	Claylands	Paignton	ELR2013
PNPE8	White Rock	Paignton	ELR2013
BNPE1	Oxen and Freshwater Cove	Brixham	ELR2013
BNPE2	Northfields	Brixham	ELR2013
BNPE3	Torbay Trading Estate	Brixham	



APPENDIX D

SITES OF SPECIAL SCIENTIFIC INTEREST,
NATIONAL NATURE RESERVE AND LOCAL SITES
OF WILDLIFE AND GEOLOGICAL INTEREST

APPENDIX D SITES OF SPECIAL SCIENTIFIC INTEREST, NATIONAL NATURE RESERVE AND LOCAL SITES OF WILDLIFE AND GEOLOGICAL INTEREST

Table 28 Torbay Sites of Special Scientific Interest and National Nature Reserve

Name of SSSI/NNR	Town	Notified
Lummaton Quarry	TORQUAY	SSSI Notified 1952
Babbacombe Cliffs	TORQUAY	SSSI Notified 1976, amended 1986
Hopes Nose to Walls Hill	TORQUAY	SSSI Notified 1952
Kents Cavern	TORQUAY	SSSI Notified 1952, extended 1975 & 1993
New Cut, Lincombe Drive	TORQUAY	SSSI Notified 1996
Meadfoot Sea Road	TORQUAY	SSSI Notified 1987
Daddyhole	TORQUAY	SSSI Notified 1988
Dyers Quarry (near Daddyhole Plain)	TORQUAY	SSSI Notified 1988
Occombe	TORQUAY	SSSI Notified 1992
Roundham Head	PAIGNTON	SSSI Notified 1974, amended 1986
Saltern Cove	PAIGNTON	SSSI Notified 1952, extended 1985
Berry Head to Sharkham Point	BRIXHAM	SSSI Notified 1952, amended 1986, designated as a National Nature Reserve 2000

Table 29 Local Sites of wildlife and geological interest

Designation	Town
Ancient Woodlands Inventory (AWI)	
Clennon Hill Wood	PAIGNTON
Rams Hill Copse	PAIGNTON
Big Wood	BRIXHAM
Barn Copse	BRIXHAM
The Grove/Ball Copse	BRIXHAM
County Wildlife Site (CWS)	
Ashleigh	TORQUAY
Black Head (part)	TORQUAY

Cockington Court	TORQUAY
Corbyn Head/ Livermead Head	TORQUAY
Daddyhole Cove to Peaked Tor Cove	TORQUAY
Ilisham Marine Drive	TORQUAY
Lower Gabwell Fields (Labrador Bay)	TORQUAY
Maidencombe	TORQUAY
Petit Tor to Watcombe Coast	TORQUAY
Smalldon Lane & Easterfield Lane	TORQUAY
St. Marychurch Downs	TORQUAY
Thatcher Point (part)	TORQUAY
Torquay Golf Course	TORQUAY
Blue Waters Drive	PAIGNTON
Broadsands Marsh	PAIGNTON
Clennon Ponds	PAIGNTON
Clennon Woods	PAIGNTON
Occombe Woods West	PAIGNTON
Ramshill (Westerland Way)	PAIGNTON
Tor Rocks	PAIGNTON
Berry Head Farm (part)	BRIXHAM
Churston Ferrers	BRIXHAM
Churston Point to Elberry Cove	BRIXHAM
Churston Railway	BRIXHAM
Elberry Cove to Churston	BRIXHAM
Galmpton Common	BRIXHAM
Lupton Park	BRIXHAM
Sharkham Point	BRIXHAM
Southdown & Woodhuish (Yards Lane to Southdown)	BRIXHAM
The Grove	BRIXHAM
Local Nature Reserve (LNR)	
Occombe Farm & Scadson Woods	PAIGNTON
Occombe Valley	PAIGNTON
Sugar Loaf Hill & Saltern Cove	PAIGNTON

Regionally Important Geological Site (RIGS)	
Barton Quarry	TORQUAY
Black Head to Anstey's Cove	TORQUAY
Chapel Hill	TORQUAY
Hollicombe Head-Corbyn Head	TORQUAY
Hope's Nose (south)	TORQUAY
Petit Tor to Maidencombe	TORQUAY
Quarry Woods Quarry	TORQUAY
Barcombe Mews Quarry	PAIGNTON
Crystal Cove	PAIGNTON
Goodrington Road Cutting & Quarry	PAIGNTON
Breakwater Quarry	BRIXHAM
Brixham Cavern	BRIXHAM
Brokenbury Quarry, Churston Ferrers	BRIXHAM
Churston Cove to Churston Point	BRIXHAM
Sharkham Point to Berry Head	BRIXHAM
Other Site of Wildlife Interest (OSWI)	
Asheldon Copse (part)	TORQUAY
Black Head (part)	TORQUAY
Brunel Woods	TORQUAY
Burial Grounds to Stoodley Knowle	TORQUAY
Chapel Hill	TORQUAY
Chelston Slopes to Sherwell Valley	TORQUAY
Cockington Court	TORQUAY
Daison Wood	TORQUAY
Edginswell	TORQUAY
Great Hill	TORQUAY
Lincombe Slopes	TORQUAY
Mainline Railway	TORQUAY
Marldon Road	TORQUAY
Mincen Hill	TORQUAY

Rainbow Fields	TORQUAY
Scadson Plantation/ Ten Acre Brake	TORQUAY
Shiphay Hospital	TORQUAY
Sladnor Park (part)	TORQUAY
Stantaway Hill	TORQUAY
Stentiford Hill	TORQUAY
Torbay Ring Road	TORQUAY
Warberry Copse	TORQUAY
Windmill Hill	TORQUAY
Brake Copse	PAIGNTON
Dartmouth Road	PAIGNTON
Grange Farm	PAIGNTON
Higher Blagdon Woods - Butshill	PAIGNTON
Lower Blagdon Woods	PAIGNTON
Lower Yalberton	PAIGNTON
Meadowside	PAIGNTON
Occombe Woods East	PAIGNTON
Paignton Zoo	PAIGNTON
Primley Woods	PAIGNTON
Shorton Woods	PAIGNTON
Sugar Loaf Hill	PAIGNTON
Torbay to Dartmouth Railway	PAIGNTON
Waddeton Woods (part)	PAIGNTON
White Rock	PAIGNTON
Yalberton Quarry	PAIGNTON
Yalberton Stream	PAIGNTON
Alston Lane	BRIXHAM
Battery Grounds	BRIXHAM
Berry Head Farm	BRIXHAM
Brokenbury Quarry, Churston Ferrers	BRIXHAM
Churston Quarry	BRIXHAM
Kennels Road	BRIXHAM
Manor Farm, Galmpton	BRIXHAM
Mudstone Lane	BRIXHAM

New Road - Monksbridge	BRIXHAM
Rydons	BRIXHAM
Unconfirmed Wildlife Site (UWS)	
Asheldon Copse (part)	TORQUAY
Barton West	TORQUAY
Sladnor Park (part)	TORQUAY
Thatcher Point (part)	TORQUAY
Torre Abbey	TORQUAY
Walls Hill	TORQUAY
Broomball Plantation	PAIGNTON
Highfield Crescent	PAIGNTON
Waddeton Woods (part)	PAIGNTON
Stoke Hill Road & Whitehill Lane	PAIGNTON



APPENDIX E

CONSERVATION AREAS AND SCHEDULED MONUMENTS

APPENDIX E CONSERVATION AREAS AND SCHEDULED MONUMENTS

Table 30 Conservation Areas in Torbay

No	Area	Designation Date	Last Revisions	Character Appraisal Adopted
1	Maidencombe, Torquay	1986	-	2005
2	Watcombe Park, Torquay	1988	-	2005
3	Barton, Torquay	1987	-	2005
4	St Marychurch, Torquay	1980	1987	2005
5	Babbacombe Downs, Torquay	1982	-	2005
6	Cary Park, Torquay	1987	-	2005
7	Torre, Torquay	1989	-	2005
8	Tormohun, Torquay	1989	-	2005
9	Upton, Torquay	1989	-	2005
10	Cockington, Torquay	1980	1988	2005
11	Chelston, Torquay	1978	1989	2005
12	Belgravia, Torquay	1988	-	2006
13	Abbey Road, Torquay	1989	-	2005
14	Warberries, Torquay	1975	1990	2006
15	Torquay Harbour	1975	1988	2004
16	Lincombes, Torquay	1975	-	-
17	Shorton, Paignton	1989	-	2005
18	Polsham, Paignton	2001	-	2009
19	Old Paignton	1986	1987	2006
20	Roundham & Paignton Harbour	1985	-	2009
21	Galmpton, Paignton	1989	-	-
22	Churston, Brixham	1970	1985	-
23	Brixham Town	1971	1999	-
24	Higher Brixham	1976	-	2011

Table 31 Scheduled Monuments in Torbay

Scheduled Monument No	Title	Common Name	Scheduled Area (ha)	Grid Ref
10717	Kent's Cavern, Torquay		1.61	SX 9341 6413
10874	Windmill Cave, Brixham		0.62	SX 9245 5598
24840	Torre Abbey		8.80	SX 9080 6368
29694 01	Berry Head Fort and Battery	Berry Head Fort No. 3	5.67	SX9449 5650
29694 02	Hardy's Head Battery	Hardy's Head Battery	0.03	SX 9405 5666
29695	The Old Redoubt, 540m south west of Berry Head Fort	Berry Head Fort No. 1	1.66	SX 9417 5609
33024	St. Michael's Chapel, Chapel Hill		0.03	SX 9030 6509
33025	Chambered Tomb, 630m north west of Elberry Farm	Broadsands Barrow	0.02	SX 8931 5732
33026	Ashhole Cavern		0.04	SX 9370 5668
33027	Prehistoric Field System at Walls Hill	Walls Hill	5.18	SX 9345 6505
33036	World War II Emergency Coastal Battery and remains of a Victorian practice battery, at Battery Gardens	Battery Gardens, Brixham	3.83	SX 9207 5690
33048	The Bishop's Palace, Tower Road	Bishops' Palace, Paignton	0.36	SX 8861 6076
33796	Two prehistoric hilltop enclosures. A ditch system and four bowl barrows, 300m north of Barton Pines Inn. Partly within neighbouring authority		15.73	SX 8485 6154
33798	Two bowl barrows at Beacon Hill, 120m south of The Beacon. Partly within neighbouring authority	Beacon Hill	0.50	SX 8576 6203



APPENDIX F

CAR PARKING REQUIREMENTS

APPENDIX F

CAR PARKING REQUIREMENTS

Car parking requirements for specific locations and types of development

Town Centres

There is no specified minimum threshold for main town centre uses. In general, existing car parks and on-street parking will be able to service new development. Car-free development may be permitted within town centres, where there is good access to public transport and the potential to utilise spaces within existing car parks. The Council will exceptionally seek provision on-site, for example where a change of use could lead to problems with overspill and indiscriminate parking, which can harm visual amenity or create hazards for traffic and pedestrians. The need for operational commercial vehicle space will be considered.

Where offices are located in town centres, the requirement for on-site provision will be relaxed to 20% of the standard for out-of-centre, subject to the availability of public parking spaces, particularly long-stay parking provision. The Council will seek financial contributions for the use of existing long-stay spaces.

In all instances provision should be made to encourage walking, cycling and public transport as preferred modes of transport through Travel Plans and other measures. This may include the provision of facilities such as bus shelters, showers and changing facilities.

District and Local Centres

Type of development / Use Class	Estimated requirement / guide
A1 Shops, A2 Financial and Professional Services	A minimum will be negotiated taking into account the impact of the use and existing parking provision. The need for operational commercial vehicle spaces will be considered.
Other uses	A minimum will be negotiated taking into account the impact of the use and existing parking provision.

Out-of-centre

Type of development / Use Class	Estimated requirement / guide
Convenience stores above threshold of 1,000 sq m of gross floorspace	Generally 1 car space per every 14 sq m of gross floorspace.
Comparison stores, including garden centres, above threshold of 1,000 sq m of gross floorspace	Generally 1 car space for every 20 sq m of gross floorspace.
Retail stores below 1000 sq m of gross floorspace	A minimum will be negotiated taking into account the impact of the use and existing parking provision
B1 including offices above threshold of 2,500 sq m of gross floorspace	1 space per 30 sq m of gross floorspace.
B2 general industry	1 space per 35sq m of gross floorspace.
B8 storage and distribution	1 space per 200sq m of gross floorspace.
For cinemas, theatres and conference facilities above threshold of 1,000sq m of gross floor space.	1 space per 6 seats Places of entertainment should have appropriate provision for people with disabilities.
Leisure and recreation facilities	1 car space per 25 sq m of gross floorspace
Swimming pools	1 car space per 10 sq m of water space.
Car sales, motor repair and service stations	1 visitor's car space for every 10 cars displayed for sale, 3 car spaces for each vehicle service bay.

Car parking requirements for specific types of development

Residential

	Type of development	Estimated requirement / guide	Notes
a)	Dwelling houses	2 car parking spaces per dwelling unit, of which 1 can be a garage and 1 with electric charging facilities.	In locations such as town centres where there is a greater choice of transport, this standard may be reduced. New dwellings with parking within the curtilage offer the opportunity to promote sustainable technologies such as electric vehicles. Provision of charging points will be supported in car parking areas where practicable. Garages will only be considered as parking spaces where they meet the requirements of note h) in the 'Other parking considerations' section (Table 40).

	Type of development	Estimated requirement / guide	Notes
		Provision of secure and covered cycle storage for at least 2 cycles per house.	Note that the provision of minimum residential parking standards is intended to allow for car ownership, but reduce on street parking. Residential developments will be required to seek to reduce car use through travel plans and provision of good walking, cycling and public transport facilities.
b)	Flats	1 car parking space per flat. Provision of secure and covered cycle storage for at least 1 cycle per flat.	Electric vehicles and car clubs will be supported. 20% of available spaces should have electrical charging points. Garages will need to meet the requirements of note h) in Table 40. Parking for visitors should also be provided.
c)	Elderly persons' sheltered flats / dwellings	1 space per 5 units.	Provision should also be made for mobility scooters with dedicated electric charging points. Storage should be covered, secure and easy to use wherever possible and must form an integral element of the design of the development.
d)	Homes for the elderly and people in need of care	1 space per 8 residents.	Provision should also be made for mobility scooters with dedicated electric charging points. Storage should be covered, secure and easy to use wherever possible and must form an integral element of the design of the development.
e)	HMOs	1 space per 2 bedrooms, plus 1 cycle space per bedroom.	In instances where the location of the HMO and its setting may limit the parking available, the availability of public spaces will be taken into account. See note f) on 'Cycle provision' in Table 40.
f)	Domestic extensions and ancillary buildings	1 space per 2 bedrooms.	Compensatory provision for displaced car parking, garaging and cycle storage. On-site parking displaced by the development should be replaced where necessary.

Hotels and holiday developments

	Type of development	Estimated requirement / guide	Notes
a)	Hotels and guest houses, including extensions.	1 space per bedroom, plus appropriate provision for coaches. Provision for setting down and picking up guests by car or coach should also be provided	In instances where the location of the hotel and its setting may limit the parking available, the availability of public spaces will be taken into account.
b)	Holiday flats, caravans and chalets	1 parking space per unit.	Garages will only be considered as a parking space where they meet the requirements of note (h) in Table 40.

Education facilities (excluding language schools)

	Type of development	Estimated requirement / guide	Notes
a)	Higher and further education establishments	1 space per 3 staff members (full time equivalents), plus 1 space per 20 students attending the establishment, plus 1 cycle space per 10 students.	Relates to total number of students visiting the establishment, not full-time equivalent figures. Plus disabled facilities. A more favourable approach to the parking ratio will be considered in town centres. See note j). on school travel plans in Table 40.

b)	Primary and Secondary schools	1 space per 2.5 staff members (full time equivalents) plus 1 cycle space per 10 students.	Plus disabled facilities and 3 non-motorised scooter parking spaces/10 pupils. See note j). on school travel plans in Table 40.
c)	Pre-school and Nursery	1 space per 4 staff members (full time equivalents), plus 1 cycle space per 4 staff.	See note j). on school travel plan in Table 40.

Healthcare

	Type of development	Estimated requirement / guide	Notes
a)	Health Centres and Surgeries	1 space per practitioner plus 1 space per 3 ancillary staff.	'Practitioner' to include doctor, dentist, nurse and health visitor.
b)	Hospital related development	Essential vehicles as required plus 2.5 spaces per bed.	

Marinas

	Type of development	Estimated requirement / guide	Notes
a)	Marinas	1 car and trailer space plus 1 space per berth.	Transport assessment and travel plan required

Other parking considerations

	Type of development	Notes
	Context and specifications	A parking space for new development will be regarded as a minimum of 2.4ha by 4.8m. Parking spaces for disabled persons should be a minimum of 4.8m by 3.6m (or where side-to-side, 4.8m by 2.4m with a minimum of 1.2 m between them). Parking courts will also require maneuvering space of 6m to enter and exit a space. Where parking spaces are accessed directly from the highway, a space shall be 3.2m by 6m (5.5m minimum where there is no door opening into the parking area) to ensure that the highway is not obstructed. The Council's Highways Design Guide and Manual For Streets 2 provide more general guidance. It is recognised that existing spaces may sometimes below this standard.
a)	Other uses	Car parking standard for uses not set out in this schedule will be determined on a case by case basis dependent upon the scale, location and requirements of the use. This will be balanced against the ability to utilise more sustainable forms of travel as primary means of access.
b)	Shared use of parking, where there is realistic potential.	Shared use of parking, particularly in town centres and as part of some mixed use proposals, will be sought, especially where peak parking times/levels from the different uses do not coincide and there is good access by public transport.
c)	Electric charging facilities and infrastructure	All new development should, where viable, include provision for electric charging points and their necessary infrastructure. Electric vehicle charging points enjoy permitted development rights.
d)	Car Clubs	For all residential developments over 100 units, provision for the secure parking of 1 car as part of a community car club scheme will be encouraged. For industrial and retail developments in excess of 300 employees, 1 space will be encouraged.
e)	Provision for people with disabilities and parents with young children	Up to 10% of the total allocation of car parking spaces should be dedicated and appropriately designed for disabled people and provide for safe, easy and direct movement for those with mobility difficulties. Certain uses should also provide for parents with young children.
f)	Cycle provision	For residential development, a minimum of 2 cycle spaces per dwelling should be provided; for non-domestic uses, 1 space per two employees. Cycle storage should be covered and secure and easy to use wherever possible and must form an integral element of the design of the development.

g)	Parking courts	For major residential or mixed use schemes, the Council may support the initial use of parking courts for other communal uses, such as allotments. This consideration will go hand in hand with use of a Travel Plan and active monitoring of on-street parking, congestion and free flow of traffic. Where such monitoring shows unacceptable risks to safety/amenity as a result of lack of off-street parking provision, the communal facility will be required to be used for parking.
h)	Parking within the curtilage will only include garages where specified criteria are met	Garages will only be counted as parking spaces where they are large enough to both accommodate cars and make provision for general storage (including cycle storage), or alternatively, provision for general storage can be made elsewhere within the curtilage. Where garages meet this criterion, retention of garages for parking will be required by planning condition. Minimum single garage internal dimensions (6m by 3.30m) to provide internal circulation space (1m on driver's side and 0.45m for passenger vehicle door opening). If no dedicated alternative storage is provided within the curtilage, additional width of 0.75m for cycle storage and 1m depth/width for refuse storage is required.
i)	Operational commercial vehicles	Proposals for new commercial space and public venues should make provision for the parking and turning of commercial vehicles (for example delivery vehicles, coaches and car transporters)
j)	Travel Plans for schools	School Travel plans are required where provision for 30 or more extra pupils is planned. A Transport Assessment is required for proposals generating over 30 trips during the morning peak period of 8-9am.

