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| Torbay Local Plan Update 2022-2040: A Landscape to Thrive.  Housing Site Options Consultation Policies (Regulation 18) | |
| October 2022 | |

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**Torbay Local Plan 2022-40: “A Landscape to Thrive”**

**Housing Site Options Consultation Version (Regulation 18) Draft Policies Text**

Introduction

This document sets out draft policies for consideration as part of the Torbay Local Plan Site Options consultation. A separate document explaining the intention of the draft policies and seeking views on them is available at the council’s EngagementHQ consultation platform: [Torbay Local Plan 2022-40: A Landscape to Thrive. Regulation 18 Site Options Consultation. | Your Say Torbay](https://yoursay.torbay.gov.uk/local-plan-update)

We are asking the public and other stakeholders to have their say on the Local Plan Site Options consultation by 12 Noon on 21st November 2021. It would be very much appreciated if comments could be submitted via the online platform.

There is more information on the Local Plan at [Local Plan Update - Torbay Council](https://www.torbay.gov.uk/council/policies/planning-policies/local-plan-update/) . However, the online platform is more interactive.

The policies are in draft form and the written explanations will also follow at a later date. They will be subject to further consultation.

Aspirations and objectives:

The following Aspirations have been rolled forward from the previous Local Plan and are included here for information. The only change to them in this document is to place “Responding to Climate Change” the first Aspiration.

**Aspiration 1** **(formerly 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.

**Aspiration 2 (formerly 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 the 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 3 (formerly 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 4 (Formerly 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 5 (Formerly 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.

Draft Policies

Draft policy text is provided here for information and to provide a context for the proposed site options and levels of growth. They will be subject of further consultation in 2023 when published alongside more supporting text.

**Policy SS1 Growth Strategy and Responding to Climate Emergency.**

**The Local Plan seeks to balance the need for growth with the protection of the environment and responding to the Climate Emergency. It actively promotes urban regeneration that creates sustainable living, working and leisure environments, supported by high quality infrastructure. The strategy seeks to support the provision of affordable housing to meet local needs. This will be achieved within the Bay’s built and natural environmental and infrastructure capacity.**

**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. All development must be supported by appropriate evidence setting out how it mitigates and adapts to climate change\*.**

**The Plan supports the creation of at least 65,000 sq. m of Class E(g)/B2/B8 net employment space over the Plan period, equal to at least 17 ha. with an emphasis on bringing employment space forward as early as possible in the Plan period. All developments capable of delivering 100 or more dwellings should provide at least 25% of the area as employment space.**

**The Plan also seeks to deliver at least 5,400 new dwellings over the Plan period of 2022-2040 equal to an average of 300 dwellings a year over an 18 year Plan period.**

**Proposals that provide urban regeneration of previously developed land will be supported in principle, in accordance with Policy H1.**

**Future Growth Areas**

**Future Growth Areas, shown outlined in red on the Key Diagram and shown on the policies map are the focuses for delivering growth and change in the Bay over the Plan period. They are allocated in the plan as strategic and sustainable locations for new employment space, homes, and infrastructure over the Plan period.**

**Development in these areas should come forward in accordance with detailed masterplans, Area Action Plans and/or in neighbourhood plans. They will deliver a balance of jobs, homes, and infrastructure, including green infrastructure. A minimum of 25% should be provided as (old B type) employment use, with a preference for on-site provision, or through developer obligations towards job creation or urban regeneration where not possible.**

**Other housing allocations**

**Other housing allocations are proposed in Policy H3 of the Plan and should be brought forward in accordance with the requirement in Policy H3.**

**The council will support in principle other suitable sites within the built-up area. These should be brought forward through Neighbourhood Plans, where they are agreed by the community through the Neighbourhood Planning Process.**

**Major development proposals outside the built-up area, Future Growth Areas and allocated sites will need to be the subject of environmental assessment. This should take account of the impacts of the proposed development itself and the cumulative impact of development. Major development will not be permitted within the Area of Outstanding Natural Beauty (AONB) unless supported by the most affected Neighbourhood Planning Qualifying Bodies and is shown to be in the public interest.**

**The Plan will be reviewed at regular intervals to ensure that the growth strategy remains sustainable. 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.**

**In Written Explanation:**

Expand upon what evidence will be required e.g. *An Energy Statement.*  Indicate that it needs to be proportionate to the nature and scale of development. Also refer to other relevant documents such as the Healthy Torbay SPD and Planning Contributions and Affordable Housing SPD.

Clarify the meaning of major development in this policy. As a starting point it will be taken to mean 10+ dwellings or half a hectare. But regards will be had to the scale, nature and setting of proposals and whether it could have a significant adverse effect on the landscape and scenic beauty of the AONB as per footnote 60 of the NPPF.

Neighbourhood Plan Area Policies

**SDT1 Torquay Growth Strategy**

**Torquay will remain the primary commercial centre of Torbay. Harbourside and town centre sites will be regenerated for appropriate mixed uses, including the provision of housing.**

**The urban areas will be improved and renewed, with strong support for family homes, where practicable.**

**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.**

**Torquay Gateway area to the northwest of Torquay is allocated for employment, housing, green infrastructure, and leisure provision. 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 order to safeguard the Marine Special Area of Conservation.**

**A strategic green gap between Torquay and Kingskerswell will be maintained.**

**Torquay will deliver a minimum of 37,200 square metres (net) of Class E(g), B1 or B2 employment floorspace and** **at least 2,400 new homes over the Plan period, equal to an average of around 134 dwellings a year over the Plan period 2022-40.**

**Policy SDT2 Torquay Town Centre and Harbour**

**Torquay Town Centre will develop and be regenerated 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, leisure and living environment with better high street retail, eating and leisure facilities.**

**Residential development will be supported above commercial uses on the ground floor.**

**Regeneration of key sites, which may include tall buildings that help strengthen its role, whilst having regard to the conservation or enhancement of the area’s historic character and environmental value and tourism setting, will be supported. Developments within Torquay Town Centre and Harbour areas should comprise a mix of suitable town centre uses.**

**Development must take into account issues of flood risk in the area, and make measures to reduce flood risk central to the design of development.**

**Policy SDT3 Torquay Gateway**

**Torquay Gateway (also referred to as Edginswell) is allocated as a Future Growth Area. High quality employment space, new homes, leisure, and local retail facilities will be delivered in the Torquay Gateway to raise the economic prosperity of Torbay, complement town centre regeneration, and provide transport improvements serving the Bay.**

**The broad location is shown indicatively on the Key Diagram and on the Policies Map.**

**Development is expected to deliver:**

* + 1. **Around 500 new homes of which at least 30% should be affordable.**
    2. **At least 10 serviced self-build housing plots.**
    3. **A stopping place/transit site for Travellers.**
    4. **Mixed use employment space, with at least 25% of the area provided as Class E(G), B2 or B8 employment.**
    5. **Upgraded and improved healthcare facilities, including new hospital buildings and key worker accommodation at Torbay Hospital.**
    6. **Improved sustainable transport infrastructure including a new train station at Edginswell and park and ride/transport hubs at Gallows Gate and Broomhill Way.**
    7. **A landscape led design with integrated green infrastructure and biodiversity net gain.**

**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.**

**Proposals should achieve a net gain in biodiversity with a first preference for biodiversity enhancements within the Gateway area. Off-site biodiversity offsetting will be required where on-site avoidance or mitigation does not achieve this. Proposals must avoid significant effects on sites protected under European legislation, including those relating to Greater Horseshoe Bats and Cirl Buntings and the Marine SAC. 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.**

Inthe **Written Explanation:**  note that the Masterplan will be updated.

**Policy SDP1 Paignton Growth Strategy**

**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, including a new sea wall. Residential uses will be supported in the town centre, subject to being safe for their lifetime.**

**The role of Preston District Centre and seafront will be enhanced for tourism, leisure, and residential and retail purposes.**

**The role of Goodrington as a leisure and employment hub will be promoted and enhanced, whilst protecting the area’s environmental assets and providing resilience to climate change.**

**Development of proposed sites and the Future Growth Area to the west of Paignton will be delivered through neighbourhood planning and master planning 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. 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 Class E(g), B2 or B8 employment floor space, and at least 2,300 new homes, equal to an average of around 128 dwellings a year over the Plan period 2022-40.**

**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. New residential development will be supported subject to heritage and flooding considerations.**

**Development must be resilient to the effects of sea level rise and contribute towards the provision of flood defences. Basement dwellings will not be allowed. A new sea wall is proposed on Paignton seafront.**

**All 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.**

**Policy SDP3 Collaton St Mary Paignton**

**Collaton St Mary is allocated as a Future Growth Area, primarily focussed on new homes. The broad location is shown indicatively on the Key Diagram and on the Policies Map.**

**Development is expected to deliver:**

1. **Around 600 new homes, including at least 30% affordable housing**
2. **At least 12 serviced plots for self-build housing.**
3. **A transit pitch / stopping place for travellers.**
4. **Improved community facilities and strengthened village centre focussed on the east of the Future Growth Area.**
5. **Any retail (or other Class E/F1 uses) should be strictly limited to meeting neighbourhood needs and no retail use of more than 500 SQ M (net) will be permitted.**
6. **Improved sustainable transport routes including bus and cycling facilities along the A385 Corridor.**
7. **Improved drainage and sewerage infrastructure.**
8. **Safeguard the areas heritage, including listed buildings.**

**Development should be accompanied by upgraded transport infrastructure. This should include including improved walking, cycling and bus routes and facilities along the A385 Totnes Road, and junction improvements at the junction of Stoke Road/Totnes Road. Development will need to contribute towards sewer and drainage infrastructure, including protection of the Water Meadow and watercourses from urban creep. Proposals must ensure that down-stream settlements are not put at increased risk of flooding.**

**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.**

**Proposals should achieve a net gain in biodiversity with onsite provision being made where possible. Any proposals that may lead to likely significant effects on sites protected under Habitats Regulations will only be permitted where no adverse effect on the integrity of the site can be shown, and proper mitigation is put in place.**

**In Written Explanation:** Note that detailed proposals for the area will come forward through an updated Masterplan. The current Masterplan (2016) proposes about 460 dwellings and it is not proposed to revisit the principle of development. Around 150 additional dwellings are expected to be provided beyond the boundaries of the 2016 Masterplan.

**SDP4 Long Road, Yalberton Future Growth Area**

**Land to the west of South Devon College and south of Berry Acres is allocated as a Future Growth Area delivering a mix of new homes and employment land. The broad location is shown indicatively on the Key Diagram and on the Policies Map.**

**Development is expected to deliver:**

1. **An additional 650 dwellings (Circa 200 beyond the number already proposed at Berry Acres and Devonshire Park), including at least 30% affordable housing.**
2. **At least 12 serviced plots for self build housing.**
3. **25% of the area to be Class E(g), B2 or B8 employment delivering at least 20,000 sq m of industrial development (of which around 7,000 sq. m is additional to that with approval). Land allocated for industrial development will be safeguarded for such purpose.**
4. **Any new retail provision in the area should be located in the local centres and strictly of a scale to meet local needs (around 500 sq. m maximum). Sainsburys at Yalberton will be classified as a Local Centre to recognise its comparable local role to the local centre to the north.**
5. **Strategic landscaping and open space to protect the highest parts of the landscape and rural setting of Higher and Lower Yalberton.**
6. **The designation of conservation areas at Lower and Higher Yalberton will be supported (needs to come through separate legislation).**

**Development should be accompanied by upgraded walking and cycling and infrastructure, along the Western Corridor and linking the area to Paignton town centre, 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.**

**Proposals should achieve a net gain in biodiversity with onsite provision being made where possible. Any proposals that may lead to likely significant effects on sites protected under Habitats Regulations will only be permitted where no adverse effect on the integrity of the site can be shown, and proper mitigation is put in place.**

**Written Explanation-** Note that the Future Growth Area includes the undeveloped parts of Yalberton/Berry Acres (Applications P/2014/0983 MOA for 192 homes, and P/2019/0173). At April 2022 there were 137 out of 192 homes to be built. Devonshire Park (P/2014/0947/MOA and P/2019/0278) has 255 homes to go at April 2022. An additional circa 200 additional dwellings will be provided in an extension to the Future Growth Area, between South Devon College, Lower Yalberton Cap Site and Berry Acres

In terms of employment, Application P/2014/0947 includes 5,574 sq. m of “Class B1/B8” employment) and P2014/0983 is for between 7,400 and 9,200 sq. m of Class B1 and B8 employment land. At least 7,000 sq m of Class E(g), B2 or B8 industrial land should be provided in addition to these approvals. No new industrial land has been provided in the area, despite the area being a major electronics manufacturer prior to 2001. Therefore, it is important that employment land in the area is safeguarded for such use.

Note that detailed proposals for area will come forward through a new Masterplan for the area.

**Policy SDP5 Clennon Valley Leisure Hub**

**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, walking and cycling, and biodiversity 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 and adaptation to the effects of climate change and safeguard or enhance the integrity of the South Hams SAC and Marine SAC/ Marine Conservation Zone.**

**Policy SDBCG1 Broadsands Churston Galmpton Villages**

**The focus of growth in the BCG villages will be on the approved site at Inglewood. Other development in the BCG Villages should be focussed on meeting local needs, whilst respecting the rural character of the area and strengthening settlement gaps.**

**The Area of Outstanding Natural Beauty and its setting will be conserved and enhanced to protect its intrinsic landscape and biodiversity value, and for recreational and tourism purposes, including the provision of walking and cycling routes. Major development will not be permitted within the AONB unless brought forward through Neighbourhood Plans, and is shown to be in the public interest.**

**All development in this sensitive location should adhere to planning guidance for Greater Horseshoe Bats within the South Hams SAC. All development should provide adequate mitigation that ensures:**

**i) there are no further restrictions on potential movement of Greater Horseshoe Bats through the area; and**

**(ii) the retention and enhancement of foraging and on-site roosting opportunities.**

**iii) existing green infrastructure assets, trees, hedgerows, and connectivity between individual assets are safeguarded or enhanced.**

**iv) no increase in lighting in bat flyways to greater than 0.5 lux; and**

**v) Mitigation of the impact of additional recreational pressure on the Marine SAC and 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. The BGC Area will provide a minimum of 400 dwellings over the Plan period, equal to about 22 dwellings a year.**

**SPB1 Brixham Town Growth Strategy**

**Brixham will accommodate appropriate but limited new growth aimed at regenerating the town centre and built up area, to sustain a viable town centre 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.**

**New maritime facilities including improved water-borne transport and facilities to support the fishing industry will be supported subject to the area’s historic environment, natural setting, and internationally important biodiversity value of natural and marine environment being safeguarded and enhanced.**

**Brixham will deliver around 2,700 square metres of employment floorspace and at least 200 dwellings over the Plan period, equal to around 12 dwellings a year, aimed at meeting the needs of local people.**

**The Area of Outstanding Natural Beauty and its setting will be conserved and enhanced to protect its intrinsic landscape and biodiversity value, and for recreational and tourism purposes. Major development will not be permitted within the AONB unless brought forward through Neighbourhood Plans, and is shown to be in the public interest.**

**Development in Brixham 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. Development should be resilient to flood risk and the effects of climate change.**

**Policy SDB2 Brixham Town Centre, Harbour, and Waterfront**

**Mixed use regeneration is proposed in the Brixham Town Centre, Harbour, and waterfront areas, to provide a range of retail, employment, leisure, and residential facilities appropriate to the scale of the town. The purpose of this development is to meet local needs, to sustain Brixham’s role as a vibrant maritime resort, to support and develop traditional industries and diversify the economic base. The provision of a Northern Arm Breakwater remains an aspiration, 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.**

Housing and Regeneration Policies

**Policy SHS: Overall Housing Strategy and Presumption in favour of Urban Regeneration**

**Proposals that achieve urban regeneration on previously developed land within the built up area will be supported in principle, subject to other policies in the Plan.**

**The council will work proactively and in partnership with landowners, applicants, and the community to find sustainable solutions, enabling development proposals that achieve urban regeneration to be approved.**

**Regeneration areas are proposed for Torquay, Paignton and Brixham Town Centres and are shown on the policies map. However, other urban regeneration sites will be supported subject to other policies in the Plan.**

**The Local Plan allocates housing sites and Future Growth Areas in Policy SH2. Major greenfield development outside of the built up area or Future Growth Areas will be resisted, unless supported through Neighbourhood Planning.**

**All development should achieve a high quality of urban design and create good quality living accommodation, whilst providing resilience to extreme weather events. Proposals should maximise the use of land, consistent with protection of the natural, built, and historic environment and the creation of high quality living environments.**

**Developments that boost the supply of affordable housing will be supported subject to other policies in this plan.**

**Written Explanation**:

Note that more detailed design, built environment and historic environment policies will set out considerations in more detail.

**Policy SH1 Town Centre Regeneration Areas**

**Proposals that regenerate town centre areas and adjoining areas, whilst enhancing the living environment and providing a high quality environment and resilience to climate change will be supported. Proposals should conserve or enhance the character of the built and historic environment.**

**The following areas are specifically proposed for regeneration or remodelling to provide mixed use developments including residential accommodation.**

|  |  |  |
| --- | --- | --- |
|  | **Area** | **Yield** (Numbers are approximate and subject to further assessment) |
|  | **Torquay** |  |
|  | **Castle Circus Area** |  |
| TCR T01 | Town Hall Car Park\* | Subject to review of parking |
| TCRT02 | Magistrates Court | 10 |
| TCRT03 | Municipal Chambers\* | 12 |
|  | **Union Street, Union Square, Lower Union Lane, Temperance Street, and Market Street, Pimlico** |  |
| TCRT04 | 14 Market Street\* | 30 |
| TCRT05 | Union Square | 250 |
| TCRT06 | Land rear of Castle Circus House\* | 30 |
| TCRT07 | Former New Look Store | 20 |
| TCRT08 | Former Blockbuster/Morrisons, Pimlico\* | 40 |
| TCRT09 | 3-9 Pimlico\* | 20 |
| TCRT010 | Pimlico\* | 10 |
| TCRT011 | Telephone Exchange/Offices Lower Union Lane\* | 70 |
|  | **Abbey Road, Rock Road, Roebuck House** |  |
| TCRT012 | Roebuck House\* | 49 |
| TCRT013 | Adj. Abbey Hall (former Laundry Site)\* | 15 |
|  | **Fleet Street, Torquay Harbour: Living Coasts, Strand, and Marina Car Park** |  |
| TCRT014 | Swan Street | 10 |
| TCRT015 | 30-34 The Terrace\* | 12 |
| TCRT016 | Former Debenhams | 15 |
| TCRT017 | The Marina Car Park (adj. The Pavilion) | 30 |
| TCRT018 | Living Coasts | 20 |
| TCRT019 | The Imperial Hotel\* | 50 |
|  |  |  |
|  | **Paignton** |  |
| TCRP01 | Paignton Harbour | Subject to review of parking  22P003 |
| TCRP02 | Crossways\* | 89 |
| TCRP03 | Victoria Square | 60 |
| TCRP04 | Station Lane, Great Western Road | 30 Subject to review of parking |
| TCRP05 | Station Square, Opposite Railway Station. | 10 Subject to review of parking |
|  |  |  |
|  | **Brixham** |  |
| TCRB01 | Town Centre Car Park Middle Street\* | 25 |
| (H03-10) | Oxen Cove (employment) | Employment (22B002) |

**\***Denotes sites where the principle of development has previously been established either through planning permission or allocation in the Local/Neighbourhood Plan. However, the Local Plan proposes that all town centre sites are suitable for residential development in principle (subject to maintenance of ground floor commercial uses in key areas.

**Written Explanation**

Note that the town centre areas are promoted for wider regeneration, and that a range of sites may come forward for development. The Local Plan proposes a “Presumption in Favour of Regeneration” which supports brownfield urban development subject to other plan considerations. The above sites have been identified as being within the regeneration clusters. More detailed assessments will come through master planning or neighbourhood plans.

## Policy SH2 Housing Allocations and Future Growth Areas

**Future Growth Areas**

**Future Growth Areas are allocated for strategic development within Torbay. They show broad locations in which the Council, community and landowners will work together, through master planning and/or neighbourhood planning to identify in more detail the layout, design, detailed balance of uses, detailed infrastructure (including green infrastructure) and delivery mechanisms required to develop the areas. More detailed requirements for Future Growth Areas are set out in the Neighbourhood Area Policies.**

**All major development outside of the established built-up area, as shown on the Policies Map, 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 or Lyme Bay and Torbay SAC. Such development proposals will need to take account of both the impacts of the proposed development itself and the cumulative impact of development.**

**The following sites are allocated for development.**

| **Ref.** | **Site** | **Estimated number of homes already where the principle of development is established.** | **Estimated number of additional homes proposed in this Plan (Subject to further assessment)** | **HELAA Reference** |
| --- | --- | --- | --- | --- |
|  | **Future Growth Areas: The following broad locations are proposed for development. They are in part currently proposed, but it is proposed to extend the areas of development.** | | |  |
| **SDT3** | **Torquay Gateway, Edginswell, Torquay** | **350** | **0** |  |
| **SDP3** | **Collaton St Mary, Paignton (Extension** | **460** | **150** |  |
| SDP3a | Land adj. Bona Vista Holiday Pk, Totnes Rd |  | (20) | 21P042 |
| SDP3b | Land adj. Beechdown Farm Bungalow, Totnes Rd |  | (10) | 21P043 |
| SDP3c | Plot 1 & 2, Totnes Road |  | (8) | 21P041 |
| SDP3d | Western half of Taylor Wimpey Site, North of Totnes Rd |  | (75) | 21P041 |
| SDP3e | Land North of Totnes Road (Bloor now Cavanna Homes) |  | (40) | 21P077 |
| SDP3f\* | Torbay Holiday Motel, Totnes Rd, Collaton St Mary | (39) |  | 21P080 |
| SDP3g\* | South of Totnes Rd, Collaton St Mary | (310) |  | 21P015 |
| SDP3h\* | Land to the North of Totnes Road (Taylor Wimpey) | (73) |  | 21P008 |
| SDP3i\* | Land North of Totnes Road (Former Bloors now Cavanna) | (100) |  | 21P010 |
|  |  |  |  |  |
| **SDP4** | **Long Road, Yalberton (Extension)** | **450** | **200** |  |
| SDP4a | Yalberton Holiday Park/Berry Acres 'Link' |  | (50) | 22P001 |
| SDP4b\* | Land South of Yalberton Road (Berry Acres) | (137) |  | 21P003 |
| SDP4c | Land North of Lower Yalberton Holiday Park, Long Road |  | (150) | 21P067 |
| SDP4d\* | Land off Bxm Rd (Devonshire Park) | (255) |  | 21P001 |
|  |  |  |  |  |
|  | **Torquay** |  |  |  |
|  | **Housing Allocations: The following sites are proposed for development.** | | |  |
| H2T1 | Sladnor Park, Maidencombe. Due to High Court decision the principle of development has been established, see application P/2020/0315\* |  | 120 | 21T064 |
| H2T2 | Brunel Manor, Conversion of buildings only |  | 15 | 21T148 |
| H2T3 | Land at Kingskerswell Road and r/o Barton Hill Road |  | 10 | 21T056 |
| H2T4 | Babbacombe Business Park, Babbacombe Rd, Torquay |  | 12 | 21T072 |
| H2T5 | Land North of Bottompark Lane, Barton Hill Road. |  | 20 | 21T145 |
| H2T6 | Torbay Hospital campus. (or directly adjoining) consistent with hospital masterplan and principal use of the site for healthcare. Accommodation for key workers. |  | 50 | 22T002 |
| H2T7 | Hatfield House (site of), Hatfield Cross |  | 12 | 21T069 |
| H2T8 | Grand Hotel Garage Block |  | 10 | 21T138 |
| H2T9 | Land adjacent to Broadley Drive, Livermead, Torquay |  | 50 | 21T050 |
|  |  |  |  |  |
|  | **Existing allocations brought forward: The principle of development has already been established on the following sites (either through planning permission or allocation in the previous Local Plan/Neighbourhood Plan). It is proposed to roll forward their allocation to the new Plan.** | | |  |
| H2T10\* | Watcombe Hall, Watcombe Beach Road. | 12 |  | 21T159 |
| H2T11\* | Site 1 Higher Cadewell Lane | 18 |  | 21T021 |
| H2T12\* | Site 2 Higher Cadewell Lane | 12 |  | 21T020 |
| H2T13\* | Hatchcombe Lane, Scotts Bridge/Barton | 50 |  | 21T129 |
| H2T14\* | Westhill Garage, Chatto Road | 15 |  | 21T131 |
| H2T15\* | Exmouth View Hotel, St Albans Road | 12 |  | 21T101 |
| H2T16\* | Seabury Hotel, 11 Manor Road, Torquay | 12 |  | 21T080 |
| H2T17\* | Quintaville, Junction of Reddenhill Road | 10 |  | 21T023 |
| H2T18\* | Stoodley Knowle, Ansteys Cove Road, Torquay | 90 |  | 21T085 |
| H2T19\* | Palace Hotel, Babbacombe Road\* | 38 |  | 21T006 |
| H2T20\* | 18 Babbacombe Road | 10 |  | 21T096 |
| H2T21\* | Former Dairycrest, Parkfield Road |  |  | 21T002 |
| H2T22\* | R/O Edinburgh Villas, McKay Avenue, Torre Marine (Specialist housing) | 75 |  | 21T095 |
| H2T23\* | Shelley Court Hotel, 29 Croft Road, Torquay | 11 |  | 21T003 |
| H2T24\* | Brampton Court Hotel, St Lukes, Road South | 14 |  | 22T003 |
| H2T25\* | Conway Court, Warren Road | 14 |  | 21T060 |
| H2T26\* | Sheddon Hall Hotel Site, Shedden Hill | 11 |  | 21T124 |
| H2T27\* | 21 Old Mill Road, Torquay | 11 |  | 21T004 |
| H2T28\* | Bancourt Hotel, Avenue Road | 10 |  | 21T054 |
| H2T29\* | Hollicombe (former gas works) | 50 |  | 21T015 |
|  |  |  |  |  |
|  | **Paignton** | | |  |
|  |  | | |  |
|  | **Housing Allocations: The following sites are proposed for development.** | | |  |
| H2P1 | Sandringham Gardens West of Preston Down Road, Paignton |  | 20 | 21P009 |
| H2P2 | Land at Preston Down Road North, Paignton |  | 50 | 21P017 |
| H2P3 | Land at Preston Down Road South, Paignton |  | 50 | 21P018 |
| H2P4 | Hilltop Nursery, Kings Ash Road. |  | 10 | 21P051 |
| H2P5 | Land off Fishacre Close, Great Parks, Paignton (former Local Centre) |  | 10 | 21P081 |
| H2P6 | Summerhill Hotel, Braeside Road |  | 10 | 21P055 |
| H2P7 | Former Kia Garage, Totnes Road |  | 25 | 21P088 |
| H2P8 | Land R/O 24 Grange Rd, Paignton |  | 25 | 21P039 |
| H2P9 | Land rear of Local Centre, Waddeton Close, White Rock Paignton |  | 60 | 21P053 |
| H2P10 | Land off Limekiln Close, White Rock, Paignton |  | 20 | 21P079 |
|  |  |  |  |  |
|  | **Existing allocations brought forward: The principle of development has already been established on the following sites (either through planning permission or allocation in the previous Local Plan or a Neighbourhood Plan). It is proposed to roll forward their allocation to the new Plan.** | | |  |
| H2P11\* | North of Luscombe Lane, Great Parks | 80 |  | 21P014 |
| H2P12\* | Great Parks Phase 2 (Allocation H1.12) | 60 |  | 21P068\* |
| H2P13\* | 38-40 Palace Avenue, Paignton\* | 11 |  | 21P007 |
| H2P14\* | White Rock (remaining development area) | 52 |  | 21P060 |
|  |  |  |  |  |
|  | **BGC Villages** | | |  |
|  |  | | |  |
|  | **Housing Allocations: The following sites are proposed for development.** | | |  |
| H2BCG1 | Gliddon Ford Filling Station, Dartmouth Road, Churston Ferrers.  Access to the Archery Field |  | 10 | 21B001 |
| H2BCG2 | Archery Field, Churston |  | 50 | 21B005 |
|  | **Existing allocations brought forward: The principle of development has already been established on the following sites (either through planning permission or allocation in the previous Local Plan or a Neighbourhood Plan). It is proposed to roll forward their allocation to the new Plan.** | | |  |
| H2BCG3\* | Inglewood (South of White Rock)\* | 373 |  | 21B002 |
|  |  |  |  |  |
|  | **Brixham** |  |  |  |
|  | **Housing Allocations: The following site is proposed for development.** | | |  |
| H2B1 | Wall Park Extensions (R/O Wall Park Farm, 39 Wall Park Rd), Brixham |  | 20 | 21B026 |
|  |  |  |  |  |
|  | **Existing allocations brought forward: The principle of development has already been established on the following sites (either through planning permission or allocation in the previous Local Plan or a Neighbourhood Plan). It is proposed to roll forward their allocation to the new Plan.** | | |  |
| H2B2\* | Brixham Paint Station, Kings Drive\*\* | 10 |  | 21B007 |
| H2B3\* | Site of Northcliff Hotel | 15 |  | 21B008 |
| H2B4\* | St Kildas (Specialist housing) | 20 |  | 21B011 |
| H2B5\* | Torbay Industrial Estate Part 1 | 10 |  | 21B053 |
| H2B6\* | St Marys Road (Old Dairy Buildings) | 15 |  | 22B001 |
|  |  |  |  |  |

\*Denotes sites where the principle of development has been established either through planning permission or allocation in the Local/Neighbourhood Plan.

**Written Explanation.** Note thatFuture Growth Areas are locations where more than circa 200 additional dwellings can be achieved as part of mixed use developments. The Masterplans for the areas will be updated.

Sites with a capacity for less than circa 200 additional dwellings are allocated as housing sites.

The Local Plan does not allocate sites with an assessed capacity of fewer than 10 new dwellings (i.e. it only allocates major developments). Non-major development can come forward as windfall and/or through Neighbourhood Plans. Where counted in Neighbourhood Plans, the council will need to avoid “double counting” of windfall sites when calculating its five year supply position.

There is an expectation that all schemes will provide a minimum of 30% affordable housing in accordance with Policy SH4.

**SH3 Principal Occupancy**

**New dwellings located outside Core Tourism Investment Areas, shall be used as a principal residence and not occupied as holiday or second homes, unless specifically approved as holiday accommodation.  Principal Residences are defined as those occupied as the residents’ sole or main residence, where the residents spend the majority of their time when not working away from home. A condition or obligation on new homes will require that they are occupied only as the primary (principal) residence of those persons entitled to occupy them.**

**Occupiers of homes with a Principal Residence condition or obligation will be required to keep proof that they are satisfying the requirements as set out in this policy and will be obliged to provide this proof if/when Torbay Council requests this information.**

**Applications for holiday homes will be considered on the basis of the Tourism Policies in this plan, and the impact of allowing holiday accommodation on the local housing market.**

**Written Explanation:** The explanation will need to set out evidence of the need for this policy. Impact of second homes upon the local housing market.   Proof of Principal Residence is via verifiable evidence which could include, for example (but not limited to) residents being registered on the local electoral register and being registered for and attending local services (such as healthcare, schools etc).

**SH4 Affordable Housing**

**All major housing developments[[1]](#footnote-2), and mixed use major developments containing dwellings, must provide a minimum of 30% affordable housing. Within the South Devon Area of Outstanding Natural Beauty, sites of 1 or more net new dwelling should provide 30% affordable housing.**

**Affordable homes should be provided on site where possible. Offsite contributions will only be accepted where both of the following apply:**

1. **It can be shown that there is a good planning reason why on-site provision is not practical.**
2. **Contributions of land and/or money are made sufficient to achieve the same or greater number of affordable homes off-site.**

**A site’s overall capacity to accommodate dwellings will be taken into account when calculating the affordable housing requirement. Proposals that artificially sub-divide, or under-develop sites will be resisted.**

**The following types of affordable housing will be sought to make up the overall provision: 33% of homes for social rent, 33% homes for affordable rent and 33% affordable home ownership (i.e., one third each for social rent, affordable rent and affordable home ownership).**

**The early development of affordable housing on site will be encouraged. However, affordable homes should be integrated into the layout of development and not distinguishable in terms of design from market housing.**

**Where developers wish to reduce the level of affordable housing provision, an independent assessment of viability will be required, with the developer underwriting the cost of the viability assessment. A reduction in the level of affordable housing provision will only be agreed where:**

**i) The provision of affordable housing is shown to make the development unviable.**

**ii) Allowing the development to proceed with less than 30% affordable housing would achieve a wider regeneration objective, and**

**iii) A recovery mechanism is provided that allows affordable housing to be provided should viability improve, based on a deferred calculation of development profitability.**

**The provision of additional affordable housing on non-major sites, or in excess to the plan requirement will be supported in principle. 100% affordable housing on rural exceptions sites will be supported, subject to other policies in this plan and the protection of the natural environment**.

**Affordable Housing Exceptions sites in the Countryside**

**In the countryside, the development of sites for affordable housing to meet the needs of local people 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; and**

**(ii) The site adjoins a settlement and does not have a significantly adverse impact on environmental, landscape, or historic assets, individually or in combination with other developments; and**

**(iii) The scale of provision is limited to meeting the identified local need; and**

**(iv) Dwellings remain as affordable housing for local people in perpetuity**

**There is an expectation that homes permitted as rural exception housing should be 100% affordable housing and provided in tenure split of:**

* **At least one third social rent**
* **One third affordable rent**
* **One third affordable home ownership.**

**Where market homes are proposed to support the overall viability of the site, they will need to be supported by a viability assessment indicating why they are necessary to deliver the development. Market homes should in any event be a small proportion of dwellings, up to 30% of homes on site.**

**In Written Explanation:**

Note that the Planning Contributions and Affordable Housing Supplementary Planning Document sets out more detailed guidance on the implementation of affordable housing policies.

In relation to potential underdevelopment of sites, roll forward advice in the current Local Plan that reads:

*“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.”*

Define “incremental” site where affordable housing may be sought e.g. land in the same ownership, directly adjacent or connected.

Note that the 1/3 of dwellings for affordable home ownership may be First Homes, unless developers prefer to provide through a registered provider e.g. as shared ownership. First Homes will be subject to local connection/key worker eligibility criteria. Due to low incomes in Torbay, the council is proposing to apply a 40 per cent or 50 per cent discount to First Homes, in order to make them affordable to local people. This will be subject to further viability assessment.

The main need for housing in Torbay is for rented accommodation. However, note where a higher level of affordable home ownership housing may be appropriate e.g. to aid viability, economic prosperity, regeneration or promote the creation of mixed communities.

The main priority is to provide affordable housing on site. Set out where off-site contributions may be appropriate e.g. due to site size or achieving practical management of different tenures.

**Policy SH5 Self-build housing in Future Growth Areas**

**To accommodate demand for self-build homes, the provision of at least 2% of dwellings allocated within Future Growth Areas shall be provided as serviced plots for sale to self or custom home builders.**

**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 self build, or be offered to the Council or a Housing Association for a further six months for affordable housing, 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.**

**The provision of land, or financial contributions off-site in lieu of onsite provision, will be supported subject to alternative land provided being acceptable in planning terms and sold at a comparable rate to on-site provision.**

**In Written Explanation**. Note that where there is no take up of self build plots, it should default to affordable housing in the first instance.

Set how will self build need be demonstrated- Self build register, local connection to the area.

**Policy SH6 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 sustainable 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. To avoid an over-concentration of similar uses that could exacerbate deprivation, no more than 10% of the total dwelling stock within 100 metres of the application site should be HMOs; and the application does not sandwich a C3 dwelling between two HMO properties.**

**5. The building is not within an area of significant deprivation.**

**6. The proposal is not within or directly abutting a Core Tourism Investment Area, and would not otherwise adversely affect the character of holiday areas.**

**7. Adequate storage facilities are provided for cycles, waste, and recycling collection; and**

**8. There is supervision by a resident owner or manager, or an appropriate alternative level of supervision. Ongoing management will be secured through condition or s106 Planning Obligations where appropriate.**

**Where new dwellings (within Class C3) do not meet the above tests, the council will restrict the change of use to Class C4 Small Houses in Multiple Occupation.**

**In Explanation** –Note that conversion of apartments to Class C4 HMOs would be likely to fail criteria 2-4 but will be assessed on a case by case basis**.**

Expand on the restriction of no more than 10% HMOs within 100m**:** This relatesto a linear assessment of streets or an area of 100m radius.

Define “significant deprivation”- will be taken to mean top 20% most deprived area as measured by the most recent Indices of Deprivation.

**Policy SH7 Sites for travellers**

**The Local Plan will provide for a minimum of two transit pitches/temporary stopping places for Travellers. At least one will be provided as part of Future Growth Areas in Torquay Gateway and Collaton St Mary. Provision may be made offsite, subject to suitable alternative sites being provided by the developer. These should have regard to the criteria below.**

**Other 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 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. Pitches should not be located in areas at risk of flooding.**

**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** - Set out pitch site size requirements. Provision should be provided at an early stage.

**Policy SH8 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, as far as is practical. All major developments should provide a minimum of 25% of all new homes to Building Regulations Approved Document Part M4(2) (accessible and adaptable dwellings) standard.**

**2. Adaptations to assist people living with disability will be supported unless they conflict with other Local Plan Policies. Where accommodation is provided for annexes for relatives or other dependants, the council will require accommodation to revert back to being part of the main dwelling when no longer needed for annex purposes, unless the annexe is suitable for residential accommodation according to the policies and obligations set out in this plan (or subsequent development plan policy).**

**3. Specialist accommodation for the elderly or other people (falling within Use Class C3) will be supported where it is within easy reach of community facilities, shops, and public transport. They should be located on level sites wherever possible.**

**4. New care homes and other specialist accommodation falling within Use Class C2, extensions to existing care homes 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) the accommodation leads to an improvement in the quality of care facilities provided.**

**Specialist accommodation (of all types) should be primarily aimed at meeting the needs of local people or those with a strong family connection. Where specialist accommodation is not restricted to occupation by people with a strong local connection, the council will seek financial contributions via s106 Planning Obligations to meet likely local healthcare and social service costs generated by the development. In the case of Class C2 accommodation this should be at least equivalent to the financial value of affordable housing sought on a comparable residential scheme (Class C3).**

**Where development, including residential development, places an additional need upon health services or facilities, the council will seek financial contributions towards the funding of those facilities. (Note that this may be better placed as part of Healthy Bay policy.)**

**Proposals involving the loss of care accommodation**

**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, and the council will seek the restoration of buildings by the removal of unsightly features or additions relating to their specialist use.**

In Written Explanation: provide evidence of need of adapted dwellings. Set out issues about the need to provide a mix of housing.

# Recommended Local Plan Polices and Plan Layout

The following sets out a suggested contents list for Local Plan policies. These follow the Adopted Torbay Local Plan 2012-30 contents fairly closely, although some reordering and simplification is recommended. A consultation into other (non-housing) Local Policies will take place in early 2023.

| **Suggested Number** | **Title** | **2015 Local Plan Policy and notes** | **Consulted on here, or later?** |
| --- | --- | --- | --- |
|  | Vision and Ambition | Keep 3.1 “Aspirations for the Bay” Update in line with the Corporate and Community Plan. Reorder to give responding to climate change a higher priority. | Later |
|  | **Policies** |  |  |
| ST1 | Growth Strategy and Responding to Climate Emergency | SS1 | This consultation |
|  |  |  |  |
|  | **Neighbourhood Plan Area Policies** |  |  |
| SDT1 | Torquay | SDT1 | This consultation |
| SDT2 | Torquay Town Centre and Harbour | SDT2 | This consultation |
| SDT3 | Torquay Gateway | SDT3 | This consultation |
|  |  | (Note recommended deletion of SDT4 Babbacombe and St Marychurch). |  |
|  | Paignton |  |  |
| SDP1 | Paignton | SDP1 | This consultation |
| SDP2 | Paignton Town Centre and Seafront. | SDP2 | This consultation |
| SDP3 | Paignton Western Corridor, Collaton St Mary and Yalberton. | SDP3 | This consultation |
| SDP4 | Clennon Valley Leisure Hub | SDP4 | This consultation |
| BCG1 | Broadsands, Chelston and Galmpton Villages | New, SDB3 | This consultation |
| SDB1 | Brixham | SDB1 (part) | This consultation |
| SDB2 | Brixham Town Centre, Harbour, and Waterfront. | SDB2 | This consultation |
|  |  |  |  |
|  | **Housing Policies** |  |  |
| SHS | Housing Strategy: Presumption in Favour of Urban Regeneration | SS12, SS13, H1 | This consultation |
| SH1 | Town Centre Regeneration Areas | SS3, SDT2, SDP2, SDB2, H1 | This consultation |
| SH2 | Housing Allocations and Future Growth Areas | SS2, SDT3, SDP3, Parts of SS12, SS13, H1. | This consultation |
| SH3 | Principal Occupancy | New policy | This consultation |
| SH4 | Affordable Housing | H2 | This consultation |
| SH5 | Self Build housing in Future Growth Areas |  |  |
| SH6 | Houses in Multiple Occupation | H4 | This consultation |
| SH7 | Sites for Travellers | H5 plus new allocations | This consultation |
| SH8 | Accommodation for people in need of care | H6 | This consultation |
|  |  |  |  |
|  | **Economy** |  |  |
| ES | Employment Strategy | SS4, SC3 | Later |
| E1 | Employment (Class B2, B8, E(g) Space | SS5 (note that indicative space targets are noted based on the current Local Plan. These will be reviewed). | Later |
| E2 | Marine Economy | TO3 (review whether this policy is still needed) | Later |
| TOS | Tourism Events and Culture Strategy | TO1 | Later |
| TO1 | Core Tourism Areas | TO2 | Later |
| TCS | Town Centres | TC1 | Later |
| TC1 | Town Centre Hierarchy | TC1-4 | Later |
| TC2 | Retail development and change of use | TC3 and TC4 - | Later |
| TC2 | Night-time Economy | TC5 | Later |
|  |  |  |  |
|  | **Transport, Accessibility, and Infrastructure** |  |  |
| T1 | Transport and Accessibility Strategy | SS6, TA1 | Later |
| T2 | Development Access | TA2 make stronger on footpaths? | Later |
| TA3 | Parking Requirements | TA3. Appendix F (make clear what its status is. | Later |
| I1 | Infrastructure, Phasing, and delivery Strategy | SS7. Other specific policies may be needed if infrastructure matters arise. | Later |
| I2 | Communications Technology | IF1 (need to make more specific?) | Later |
|  | **Climate Change AND Resilience** |  |  |
| CES | Climate Emergency Strategy | SS14, ES1, ES2 | Later |
| ES1 | Energy | ES1, ES2 | Later |
| ER1 | Flood Risk | ER1 | Later |
| ER2 | Water management | ER2 | Later |
| ER3 | Contamination | ER3 longstanding policy that can be carried over | Later |
| ER4 | Ground Stability | ER4 longstanding policy that can be carried over | Later |
|  | **Countryside and Natural Environment** |  |  |
| LS | Landscape Strategy |  | Later |
| L1 | Countryside Area and the Rural Economy | C1, SS8 |  |
| L2 | AONB | SS8 | Later |
| L3 | Coastal Landscape and change management | C2, C3 | Later |
| L4 | Valued landscapes | (Unless it could be addressed in LS) | Later |
| L5 | Trees, Hedgerows, and natural landscape features | C4 TB/AS/RBC | Later |
| L6 | ULPAs | C5 | Later |
| NCS | Biodiversity Strategy | SS8 | Later |
| NC1 | Biodiversity and ecology | SS8, NC1 | Later |
| GE1 | Geodiversity | New -but within NC1 |  |
| GI | Green Infrastructure | SS9 | Later |
|  |  |  |  |
|  | **Historic Environment** |  |  |
| HES | **Historic Environment** | SS10, HE1 | Later |
|  | Listed Buildings | HE1 | Later |
|  |  |  |  |
|  | **Design and Development** |  |  |
| DES | Pride in Place Strategy/ Beautiful Bay | New policy | Later |
| DE1 | Design | DE1. Scope to combine with DE2 and DE4 (Building Heights). | Later |
| DE2 | Building for Life | Could be combined with DE1 | Later |
| DE3 | Development amenity | DE3 | Later |
| DE4 | Building heights | Scope to combine with DES or DE1 and H1 “Presumption in Favour of Urban Regeneration”? | Later |
| DE5 | Domestic extensions |  | Later |
| DE6 | Advertisements |  | Later |
| SCS | Sustainable Communities Strategy and Levelling Up | SS11, SC5 Suggest deleting SC5 | Later |
| SC1 | Healthy Bay | SC1 | Later |
| SC2 | Sport, leisure, and recreation | SC2. Projects need updating. The Test is the same as NPPF 99. Retain? | Later |
| SC3 | Education Provision | SC3 part. Need to make specific about education provision, including measures to address child poverty. | Later |
| SC4 | Sustainable Food Production | SC4 |  |
| SC5 | New community facilities | New policy. May need to include allocation for new cemeteries etc. | Later |
|  |  |  |  |
|  | **Waste and Minerals** |  |  |
| WS | Policy W1 Waste strategy |  | Later |
| W1 | Waste hierarchy |  | Later |
| W2 | Policy W2 Waste audit for major and significant waste generating developments |  | Later |
| W3 | Policy W3 Existing waste management facilities in Torbay |  | Later |
| W4 | Policy W4 Proposals for new waste management facilities |  | Later |
| W5 | Policy W5 Waste water disposal |  | Later |
|  | Minerals |  |  |
| MS | Minerals Strategy |  | Later |
| M1 | Minerals extraction |  | Later |
| M2 | Maximising the use of secondary and recycled aggregates |  | Later |
| M3 | Preserving and safeguarding of limestone resources and key local building stone |  | Later |
|  |  |  |  |
|  | **Delivery and Monitoring -** |  | Later |
| Appendix A | Glossary | Retain+ update | Later |
| Appendix B | schedule of supporting documents | Update as an editorial matter. | N/A |
| Appendix C | Pool of Housing and Employment Sites | Delete. Move the allocated sites into the main body of the Plan | N/A |
| Appendix D | SSSIs, NNRs and OSWIs. | Retain and update as an editorial matter | N/A |
| Appendix E | Conservation Areas and S(A)Ms | Retain. | N/A |
| Appendix F | Car Parking Requirements | Move to TA3 make more concise. Clarify the status. | Later |

1. [The Town and Country Planning (Local Planning) (England) Regulations 2012 (legislation.gov.uk)](https://www.legislation.gov.uk/uksi/2012/767/contents) [↑](#footnote-ref-2)