

Planning and Compulsory Purchase Act 2004

Localism Act 2012

Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)

Collaton St Mary Masterplan Supplementary Planning Document - Adoption Statement

(a) Date of Adoption

Notice is hereby given in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 that the Collaton St Mary Masterplan Supplementary Planning Document (SPD) was adopted by Torbay Council on 25 February 2016 at a meeting of the Full Council.

(b) Section 23(1) modifications

(i) Modifications

In accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (Regulation 12) a Draft version of the Collaton St Mary Masterplan SPD was published for consultation over a four week period between Monday 27 October and Monday 24 November 2014. A subsequent consultation took place between 4th December 2015 - Friday 8th January 2016.

Following the receipt of representations, a number of Modifications were made subsequently to the SPD, under Section 23(1) of the Planning and Compulsory Purchase Act 2004.

These changes have been incorporated in the Adopted SPD and details are set out as follows:

Area/Section of Masterplan	Comment/Issue/Consultation feedback	Revision
Overview - Objectives	Refer to construction techniques and preventing crime and the need to address flooding, biodiversity and other issues through detailed surveys at application stage.	<p>Refer to designing out crime at point 6.</p> <p><u>The masterplans sets out an indicative plan for the area's development. Before development commences it will be necessary for green and physical infrastructure to be put in place. In particular, further survey work will be needed to ensure that greater horseshoe bats and other biodiversity are not adversely affected.</u></p> <p><u>Whilst this masterplan has considered the issue of flooding, detailed proposals will need to ensure that there is adequate sewer capacity to serve development, and flood attenuation measures are provided, using sustainable urban drainage systems wherever possible.</u></p> <p><u>Detailed applications should have regard to policies in the Adopted Torbay Local Plan 2012-30 and beyond "A landscape for success". In particular Policy DE1 "Design" sets out design</u></p>

		<u>considerations for development.</u>
Site and Surrounding Context	Minor amendments to text	Third paragraph, change Blagdon Barton Farm to <u>Devon Hills</u> Fourth paragraph: Community School and Sports Academy at <u>Borough Road and Waterleat Road...</u>
Overview (and throughout the masterplan)	Update to reflect adoption of the Local Plan	Update references to the Local Plan to refer to the <u>Adopted Torbay Local Plan 2012-30 “A landscape for success”</u> . Where appropriate amend Local Plan text and policies quoted to refer to text as stated in the Adopted Local Plan. (Specifically under “Local Policy” on page 6). Note that Policy SS8 and NC1 (As modified) require project level surveys of greater horseshoe bats, and measures to safeguard them, prior to planning permission being granted.
Planning Policy Appraisal (page 5)	Update text and identify infrastructure and environmental constraints	<p>Amend text as follows existing section and replace as follows:</p> <p>The local policy framework for the Torbay area is, as with many areas, an evolving one. The Torbay Local Plan, covering the period 1995 – 2011, was adopted on 5th April 2004. It is this plan which comprises a key part of the Development Plan for decision making in the local area.</p> <p><u>The Adopted Local Plan 2012-30 and beyond “A landscape for success” was adopted by Council on 10 December 2015.</u> This Plan establishes policy and broad strategic allocations for future development based on updated evidence, which will ensure the delivery of a sustainable future for the Torbay area.</p> <p>The Local Plan includes policy to guide development, all of which will have varying degrees of applicability for future work. However, in the context of this master planning exercise, the following are considered key.</p> <p>Collaton St Mary is recognised allocated in Policy SS2 as a Future Growth Area. This designation recognises the potential of the area to accommodate development during the latter part of the Plan period from 2024 onwards. <u>However Government advice is clear that sustainable development must not be delayed if infrastructure and other constraints can be satisfactorily addressed.</u> Further support for the principle of development is contained within Policy C1 Countryside and Rural economy. This seeks to avoid unrestricted development of the open countryside surrounding Paignton and, to ensure this; the Policy directs development to Future Growth Areas.</p> <p>Whilst Policy SS2 identifies the potential of the area in broad terms, Policy SDP3 Paignton North and Western Area, specifically sub policy 3.3, provides more detail. It identifies scope for approximately 830 460 homes in the area to meet future</p>

		<p>housing need. <u>As a result of the draft masterplan, the Modifications to the Local Plan reduced the number of dwellings in SDP3.3 to 460 (from 836 in the Submission Local Plan, RMM10 and RMM11).</u></p> <p>Whilst paragraph 5.2.2.8 does recognise the challenges for development and the particular need to ensure that development enhances the role of the village centre, it also emphasises that these challenges will be overcome through the masterplanning process which will ensure a broad range of needs, including infrastructure, are met.</p> <p>The role of a masterplan and delivery through Neighbourhood Planning is referenced within Policy SDP1 Paignton. This policy reiterates the infrastructure requirements relating to the area, particularly highways, drainage and landscaping.</p> <p><u>The Local Plan was been informed by Habitats Regulation Assessment and Sustainability Appraisal. To assess the acceptability of Future Growth Areas, a further Habitats Regulation Appraisal Report of the Local Plan Strategic Delivery Areas was commissioned (Kestrel Wildlife Ltd, October 2014).</u></p> <p><u>Map 6 of this report sets out likely routes for greater horseshoe bat strategic flyways. It also identifies mitigation measures that are likely to be required to achieve development in the area. A number of Modifications were made to the emerging Local Plan to emphasise the importance of addressing biodiversity issues (including in combination effects), and the need for additional survey work to be carried out between April and October (see especially Policy SS8 nature Conservation and NC1 Biodiversity and geodiversity). The relevant section of the HRA site assessment and Map 6 are appended to this Masterplan for information.</u></p> <p><u>The Local Plan also sets out policies on flooding (ER1, ER2 and W5), strategic transport (SS6) and development access (TA2) and design principles (DE1 to DE3) which, among others, will be relevant to determining development proposals in the area.</u></p> <p><u>The Collaton St Mary Masterplan provides an greater level of detail than can be included in the Local Plan. However, it does not replace the need for project level ecology (especially greater horseshoe bat), flooding, transport etc surveys and assessment that must be provided before planning permission can be approved.</u></p>
<p>Landscape character appraisal</p>	<p>Update landscape status of area.</p>	<p><u>The site is outside any nationally designated area and is not within the Green Belt. The site was formally an 'Area of Great Landscape Value (AGLV) in the previous Torbay Local Plan 1995-2011. However, the new Local Plan, A Landscape for Success, The Plan for Torbay 2012 – 2030 has removed this local</u></p>

		<p><u>landscape designation. Proposals should draw of evidence from Landscape Character Assessments to ensure that their landscape impact is acceptable.</u></p>
<p>Section 5 Masterplan Text on p24</p>	<p>Clarify potential alternative uses for the Local Centre and note the need for flood resilience.</p>	<p>Add bullet point under section on the meadow:</p> <p><u>The masterplan should promote public access to the countryside and open space for the community. However, the primary functions of the meadow must be retained as a flood meadow and greater horseshoe bat/ wildlife corridor.</u></p> <p>Add sentence to the end of the paragraph on the Local Centre:</p> <p><u>In addition, the site is suitable for residential use above the first floor (subject to design issues). The centre should incorporate flood resilience measures and reduce the amount of water run-off from the (currently hard-surfaced) area. Development should reinforce the context of historic buildings in the village.</u></p>
<p>Illustrative masterplan (and subsequent Phasing Plans)</p>	<p>Replace draft masterplan with <u>Option 2 Map</u> showing the deletion of proposed vehicular access across the meadow and replacement with a pedestrian/cycle path.</p>	<p>Add the following notes to the illustrative masterplan.</p> <ul style="list-style-type: none"> • <u>The role of the meadow should be conserved and enhance as a water meadow and wildlife corridor. Pedestrian/cycle access should not interfere with this primary function and should be designed accordingly (e.g. with a permeable surface and appropriate warnings that it may not always be useable in periods of high rainfall). Any lighting should be kept to a low level (0.5 lux maximum).</u> • <u>Vehicular access will be from Totnes Road (Woodlands, Lower Blagdon Farm and Torbay Holiday Motel are known to be available). The layout should provide adequate vehicle accessibility and provide pedestrian/cycle links to Totnes Road.</u> • <u>Improvements/alternatives to the Stoke Road junction, and road safety measures in the village will be investigated and funding sought through developer contributions. However these will not prejudice the role of the meadow.</u> <p>Delete the small parking area adjacent Primary School open space.</p>

<p>Phase 1 Map:</p>		<p>Amend second diagram to show a pedestrian/cycle access across the meadow.</p> <p>Add after “foraging environment”: <u>Additional survey work will need to be carried out to assess bat movements and inform necessary mitigation measures .</u></p> <p><u>The creation of a new pedestrian and cycling link from the local centre through to later phases of development to the west will be designed with a number of features to mitigate against any possible impacts on the bats. These will include:</u></p> <ul style="list-style-type: none"> • <u>Lighting levels along the stretch of road within the flight corridor will not exceed 0.5lux.</u> • <u>The gap in the hedgerow created to facilitate the new link will be kept to a minimum width.</u> • <u>At the point where the link crosses the hedgerow, additional taller planting may be used to raise the profile of the hedgerow and encourage the bats to continue their journey along the line of the hedgerow.</u>
<p>Phase 4</p>	<p>Amend to note developer interest on the phase 4 (northern sites) and add text on greater horseshoe bat corridor as above.</p>	<p>Add to end of first paragraph: <u>It is noted that there is currently stronger developer interest in these two sites, and fewer site assembly issues than with the land to the South of Totnes Road. Nevertheless development of the areas will need to ensure that they are properly supported by infrastructure, particularly drainage/flood prevention measures and the retention/ improvement of darkened corridors for greater horseshoe bats.</u></p> <p>Add text on protecting the integrity of the greater horseshoe bat corridor (as above)</p>
<p>Additional Appendix</p>	<p>Highlight the need for additional HRA assessment of sites.</p>	<p>Add HRA Site Appraisal Report of Torbay Local Plan Strategic Delivery Areas (Kestrel Wildlife Ltd October 2014) Part 5.3 Totnes Road Future Growth Area and Map 6.</p>

(c) Relevant dates

Any person with sufficient interest in the decision to adopt the Collaton St Mary Masterplan Supplementary Planning Document (SPD) may apply to the High Court for permission to apply for judicial review of that decision. Any such application must be made promptly and in any event not later than 3 months after the date on which the Supplementary Planning Document was adopted i.e. by 25 May 2016.

(e) Further Information

The Collaton St Mary Masterplan Supplementary Planning Document (SPD) and the associated Adoption Statement can be inspected free of charge at Torbay Council’s Spatial Planning Office at Electric House, Castle Circus, Torquay, and at Council Libraries and Connections Offices during normal opening hours.

These documents, together with related preparatory documents, can also be viewed at:
<http://www.torbay.gov.uk/masterplans>