

## **TORBAY LOCAL PLAN**

A landscape for success:

The Plan for Torbay – 2012 to 2032 and beyond

PROPOSED SUBMISSION PLAN (FEBRUARY 2014)

# **TORBAY COUNCIL RESPONSE TO REPRESENTATIONS ON THE PROPOSED REPLACEMENT MAIN MODIFICATIONS TO THE SUBMISSION LOCAL PLAN**

## **REPRESENTATIONS BY REPLACEMENT MODIFICATION/POLICY NUMBER**

**Torbay Council – 14 August 2015**

## **Explanatory note: Torbay Council Response to Representations on Proposed Replacement Main Modifications to the Submission Local Plan**

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### **Summary of this document**

This document sets out the Council's comments on the consultation responses to the Proposed Replacement Main Modifications to the Torbay Local Plan 2012-32 and beyond "A landscape for success". It summarises these by Replacement Main Modification/ Policy number and provides a brief response to the points made. A separate schedule of responses by Consultee/Organisation has also been produced. These were the subject of public consultation between Monday 22nd June and Monday 3<sup>rd</sup> August 2015.

Representations on the Replacement Main Modifications and comments of the Council will be considered by the Inspector conducting the Examination of the Local Plan.

### **Background**

The Local Plan was considered at an Examination Hearing between 18<sup>th</sup>-20<sup>th</sup> November 2014. The Inspector's Initial Findings were received on 15<sup>th</sup> December 2014, with Further Findings received on 23<sup>rd</sup> December 2014.

The Council published a Schedule of Proposed Main Modifications for consultation in February 2015, drawing on the Inspectors' Initial and Further Findings. The Proposed Main Modifications related to matters that went to the heart of the Local Plan's soundness, particularly relating to efforts to increase the overall housing numbers to 10,000 dwellings between 2012-32 and the identification of additional potential housing sites. The Modifications also sought to clarify the mechanism to bring forward site allocations plans if Neighbourhood Plans did not identify sufficient land.

Representations to the Main Modifications raised a number of significant issues, particularly around Habitats Regulations constraints (see TC/MOD/10- TC/MOD17). The Council has produced schedules of issues raised by the Modifications and its response to them: [www.torbay.gov.uk/tcmod12.doc](http://www.torbay.gov.uk/tcmod12.doc). Following consideration of these, and correspondence with the Inspector (PH/16-P/H18 <http://www.torbay.gov.uk/ph16.pdf> <http://www.torbay.gov.uk/ph17.pdf> <http://www.torbay.gov.uk/ph18.pdf>), the Council resolved to publish Replacement Modifications.

### **Replacement Modifications**

As the name implies, the Replacement Modifications replace the Modifications published in February 2015. Accordingly the original Modifications are withdrawn. However, a number of representations on the Modifications, and issues noted in the SA and HRA

(TCRMOD/7 [www.torbay.gov.uk/tcrmod7.pdf](http://www.torbay.gov.uk/tcrmod7.pdf) and TCRMOD/8 [www.torbay.gov.uk/tcrmod8.pdf](http://www.torbay.gov.uk/tcrmod8.pdf)), have influenced the content of the Replacement Modifications.

The Replacement Main Modifications (RMMs) also deal with matters that are central to the Local Plan's soundness. In summary they propose 8,900 dwellings and 5,000-5,500 new jobs over a reduced Plan period of 2012-30 (a reduction of 1 year). They undertake that the Council will produce site allocations documents if Neighbourhood Plans are not submitted by 31 March 2016, and also set out details on monitoring of jobs and homes. These modifications show how the Council will secure delivery of jobs, homes and infrastructure over the next 15 years to meet Torbay's needs and aspirations, at a pace (namely.....) equivalent to the requirements set out by the Inspector in his Initial and Further Findings.

A companion schedule of Replacement Additional Modifications (RAMs) was prepared for consultation at the same time as the Replacement Main Modifications. These deal with matters that do not go to the heart of the Local Plan's soundness. In particular they strengthen the environmental safeguards set out in the Proposed Submission Plan and update the Plan to reflect new government guidance on matters such as affordable housing thresholds, space standards and allowable solutions for carbon reduction.

Both the Proposed Replacement Main Modifications and Proposed Replacement Additional Modifications documents were the subject of public consultation between Monday 22nd June and Monday 3<sup>rd</sup> August 2015. There were significantly fewer representations on the Replacement Modifications than at the original Modifications stage, with 40 bodies or individuals making representations at the Replacement Modification stage compared to 280 at the original Modification stage. The 40 bodies/individuals made just over 150 separate representations, although the matters raised were usually linked, most frequently to comments on the overarching growth strategy.

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## **Broad Conclusions on the Representations Received**

### **Basis for conclusions**

The Local Plan has been consulted upon on five separate occasions, in addition to consultation on the four Masterplans produced by the Council in respect of four main growth locations. The vast majority of concerns, expressed by statutory and non-statutory consultees, other organisations and individuals, have been resolved. The Plan is positively prepared to meet the Bay's needs, justified by proportionate evidence, effective and consistent with national policy. The Local Plan sets a framework for Neighbourhood Plans, whilst containing a clear safety mechanism to bring forward development should Neighbourhood Plans fail to do so.

The Council considers that it is in the overriding interest of delivering sustainable development in Torbay that a robust and sound Local Plan is adopted as quickly as practicable, consistent with government advice. The Submission Version of the Torbay Local Plan, with the changes agreed before and during the Hearing, evidently provides a robust starting point for the way in which this can happen.

To help achieve this objective, the Council has positively and proactively explored a large number of options and sites for the provision of housing land in Torbay. This work has been supported by a substantial amount of evidence commissioned by the Council. The evidence relating to environment, biodiversity and infrastructure supports the Council's position, as set out in the Submission Version of the Local Plan. The Council's work on this issue, with a range of different partners, has led to a very good understanding of the Bay and the ability of its land resource to provide new homes.

Following extensive consultation and discussion with bodies such as Natural England, there is good evidence that Torbay can accommodate around 8,900 new homes and 5,000-5,500 new jobs during the Plan period.

This is an ambitious but realistic target for Torbay. It provides sufficient land to support and facilitate a significant improvement in Torbay's economic fortunes, without breaching the environmental limits acknowledged by the Inspector in his Initial and Further Findings.

The Council's advice, before and during the Hearing, was that provision of additional housing land (above that proposed in the Submission Version of the Plan) was likely to breach the Bay's environmental limits. This advice was based on evidence available at that time, including assessment of other options/ locations for growth in the Bay, and a detailed knowledge of Torbay's environmental characteristics. Torbay's environmental sensitivity is acknowledged in the Inspector's Interim and Further Findings. Nonetheless, the Council responded positively and quickly to the Inspector's Initial and Further Findings. It further explored the potential of a range of additional sites to provide additional homes. The Council's own work and responses to consultation on the Replacement Main Modifications confirm that provision of significant additional housing land, above that identified in the Replacement Modifications, is likely - on the basis of evidence available at this time - to breach the Bay's environmental capacity for growth.

The Local Plan will be monitored annually and will be the subject of a major five year review. The Replacement Modifications set out criteria that will be considered at review stage, and it is possible that further housing sites could be included at this stage, when their environmental impact has been fully assessed. However, in accordance with the requirements of the NPPF, the Plan identifies sufficient land to meet objectively assessed need over at least the first 15 years of the Plan Period (i.e. to the mid 2020s) and probably longer.

## **Issues raised by representations on the Replacement Main Modifications and Council's Responses to on them:**

The responses below should be considered in the context set out above.

**Full Objectively Assessed Need (FOAN) and how much reliance can be put on the 2012 Household Projections as a measure of Objectively Assessed Need.** The objections made about the overall growth levels and strategy are similar to matters raised in previously stages and discussed at the Examination Hearing. These have been discussed in the Council's Growth Strategy and Capacity for Change Topic Paper (SD24), the July 2015 update (PH/19) and the Housing Requirements Topic Paper (PBA 2013, SD56).

It is noted that the 2012 based (2015) Household Projections are lower than the Interim 2011 Based Household Projections, but not significantly so. The largest driver of population and household growth in Torbay remains inward migration. 85% of the DCLG household projections are driven by population level and 10% by household formation rates. As set out in PH/19 the 2012 Population and Household Projections are based on above trend based migration assumptions.

However, based on good evidence, the Council is planning to achieve economic recovery and growth. Consequently, the Council accepts the Inspector's Initial Findings view that FOAN will be higher than the household projection figure if economic growth is achieved, as per the Housing Requirements Report.

The Council considers that its evidence on housing need set out in the PBA report and subsequent technical papers (see above) remain robust. However, this is tempered by the fact that need above around 8,000 new dwellings (to 2030) will be driven by new jobs and therefore dependent upon economic recovery taking place from 2016. The Local Plan addresses this uncertainty by undertaking to monitor job creation and review the Local Plan on a 5 yearly basis, or sooner should economic indicators show this to be necessary.

**Relationship between jobs and homes.** Objectors have noted that the Local Plan's housing figure is above the demographically implied requirement, and that additional housing is predicated upon job creation above trend levels. It is noted that the number of jobs fell between 2012 and 2013. (2013 being the most recent NOMIS figure, although a 2014 figure is expected to be published later in 2015). It is also argued that there was an oversupply of housing between 2001-11 which led to an expansion in second home ownership. The Council's position on this is set out in PH/19. As set out above, the Local Plan seeks to exceed the "trend based" rate of job growth, which may lead to demand for additional homes in the latter part of the Plan period.

The Council agrees that this is a matter for monitoring at the first five year review (or earlier if jobs expand e.g. due to the effects of the South Devon Link Road (to be called the South Devon Highway)).

**Reliance on windfalls (post year 5) and car parks rather than identifying larger sites.** The SHLAA (2013 update, Part 8) indicates a stock of smaller sites and historic high delivery of dwellings on smaller sites at about 130 dwellings per year. Torbay's 2015 Annual Housing Monitor indicates a stock of 316 dwellings with permission on sites of 5 or fewer dwellings. The Monitor indicates 2047 deliverable dwellings (with planning permission) on sites of 6+ dwellings, at April 2015. Appendix D of the Local Plan lists a wide range of sites (in the 6+ dwelling category) that are considered to be developable (some of which also have planning permission).

On this basis there is good justification for expecting windfall sites to continue to form a significant element of housing land supply throughout the Plan period.

It is possible that individual sites (as set out in Appendix D) may not be developed, and RMM14 (relating to Appendix D sites) confirms that the development of car parks is dependent upon sufficient parking being retained. However these remain only a small proportion of the list of Appendix D sites. Moreover the Torquay and Paignton town centre car parks mentioned in RMM14 are part of the Masterplans for the town centres, which were adopted as Supplementary Planning Documents by the Council in June 2015. This increases certainty that they will be redeveloped as part of town centre regeneration initiatives, not least because resources and mechanisms have been put in place by the Council and Torbay Development Agency to secure delivery of the masterplans.

Urban brownfield sites have very significant benefits in terms of town centre regeneration and minimising the loss of countryside. It would not be a sustainable strategy to rely overly on greenfield sites as a source of housing supply.

**Change to Plan period and retention of 15 years Plan period from adoption.** Some objections to the reduction in the Plan period argue that the change to the Plan period would leave the Plan with less than 15 years from adoption. NPPF paragraph 47 requires Local Plans to provide five years of deliverable sites and to "identify a supply of specific, deliverable sites or broad locations for growth, for years 6-10 and where possible for years 11-15". On this basis (assuming adoption by 31/3/16) the Local Plan needs to provide specific deliverable sites to 2020/21 and broad locations to 2025/6. Paragraph 157 of the NPPF requires a "preferable" 15 year time horizon, but does not explicitly require a 15 year housing land supply. Conversely the requirements of paragraph 47 are explicit.

Notwithstanding this, the Local Plan Proposed Replacement Modifications intend a Plan period of 1 April 2012 (i.e. financial year 2012/13) to 31 March 2031 (financial year 2030/31). This makes a 19 year Plan period, with 15 clear years so long as the Plan is adopted by 31 March 2016. Whilst the Council would not object to the period being compressed to 31 March 2030 (2029/30) i.e. an 18 year Plan period, this would result in less than 15 years from adoption in 2016.

**Trigger point for preparation of Site Allocation Plans.** Paignton Neighbourhood Forum objects to the undertaking that the Council will produce site allocation plans should Neighbourhood Plans fail to identify sufficient land, on the basis that this will remove autonomy from the Forums. It will be noted that the three Forums have been extensively involved in the preparation of the

development plan for Torbay over a long period of time and have been key parties in the debate around growth levels etc. All Neighbourhood Forums have supported adoption of a new Local Plan as soon as possible. Whilst there have been some changes to the emerging Local Plan, the Local Plan's central strategy has not changed significantly and thus there has and continues to be sufficient time to submit Neighbourhood Plans to the Council. The Replacement Main Modifications have allowed until 31 March 2016 for Neighbourhood Plans to be submitted. The Council acknowledge concerns from some house builders that this is a tight deadline for preparation of site allocation documents in time to avoid a policy vacuum after 2017. However, Torquay and Brixham Neighbourhood Forums have undertaken to submit Neighbourhood Plans, which are in general conformity with the Local Plan, by March 2016. All three Forums are proposing to consult on Neighbourhood Plans in Autumn 2015. A similar undertaking is being sought from Paignton. In addition, the sites likely to be included in any formal site allocations documents are already well known and have been consulted upon as part of the new Local Plan preparation. They are identified in Appendix D of the Local Plan.

**Environmental capacity / additional sites.** Torbay's environmental capacity is discussed above. The Council has sought to address key concerns about the impact of development upon key environmental issues, particularly the South Hams AONB, SAC and candidate Marine SAC. A number of Replacement Additional Modifications have strengthened the environmental protection policies in the Proposed Submission Plan. It is noted that Natural England now fully support the Local Plan as amended by the Replacement Main and Additional Modifications.

**Removal of land south of White Rock.** The Council has carefully considered the allocation of land South of White Rock and has examined the advice and evidence available to support such an allocation. Whilst some evidence is available to indicate the site may come forward, for example in the first review of the Local Plan, it is not sufficient evidence to support allocation of the site at this moment in time. The removal of land south of White Rock (former Main Modification 3 (SS2) has been supported by a number of stakeholders, including South Hams District Council, Natural England and the Torbay Coast and Countryside Trust. It is noted that the site has been actively promoted by Abacus/Deeley Freed who have provided details of landscape and ecological impact. Abacus/Deeley Freed have accordingly objected to the site's exclusion. Whilst the Council acknowledge that the site offers an opportunity for a strategic development, there are outstanding issues relating to impact on both greater horseshoe bats and the AONB that have not been resolved, and will take at least 12 months to resolve. There is no guarantee that delaying the Plan for a year would resolve these issues.

The Local Plan exceeds the 2012 household projections level of housing growth, and provides for a longer housing trajectory than is required by NPPF para 47. In the Council's view the site should be reassessed at the first review of the Local Plan, should the evidence point to it being required (i.e. if employment levels pick up).

**St Marys Park.** The Council notes that the land owner has commissioned ecological surveys and maintains that the site can be shown to be developable. This evidence will not be available until September 2015, at the earliest, and until this is available the most detailed evidence available is the Further HRA site assessment by Kestrel Wildlife Ltd (PH/10) which flags up likely significant effects

on the South Hams SAC. In any event the site is not strategically significant and its possible delivery could be resolved either through the Neighbourhood Plan or as part of a Local Plan review.

**Infrastructure Delivery.** The Council considers that its Infrastructure Delivery Plan is adequate. There is a need to prioritise the infrastructure identified in the 2012 Infrastructure Delivery Study (SD/85); however the Plan makes provision for critical infrastructure to be addressed. In the Council's view, drainage/ sewerage infrastructure is critical infrastructure, as well as the need for 'dark' corridors to provide for greater horseshoe bats.

The Assessment of Sewer Capacity (AECOM 2014; SD88) and responses from the Environment Agency confirm that the main impact on sewer capacity is from urban creep, climate change and the legacy of combined sewers, and not new development per se. Policies SS7, ER1, ER2 and W5, as Modified, go to significant lengths to reduce storm water draining into combined sewers.

With regard to greater horseshoe bats, Policies SS8 and NC1 now set out a clear requirement for the provision and maintenance of 'dark' corridors, management of recreation pressures, and other mitigation measures to avoid significant effects to the SAC.

The Council acknowledges that the Western Corridor poses a key infrastructure pinch point. However, SATURN modelling (2010, SD70) indicates that Torbay is able to accommodate a growth rate of 10,000 dwellings (i.e. 1,100 dwellings above the Replacement Modification figure) without severe residual impacts on the road network. Policies SS6, TA1 and TA2 set out a framework for continuing improvements to the Western Corridor and A385 Totnes Road. They also seek a modal shift away from private motor vehicles and propose key sustainable transport infrastructure such as ferry services, public transport hubs and a new train station serving the Torquay Gateway Future Growth Area. These are subject to significant funding bids through the Local Transport Plan Implementation Plan (SD/68) and Local Sustainable Transport Fund. The Council has an excellent track record of securing funding, from new development and from Growth Deal, to ensure infrastructure improvements are undertaken to facilitate growth.

Other infrastructure, such as health care, education, leisure facilities etc is covered in the Plan. It is accepted that a prioritisation will need to take place for such matters, not least given limited development viability and scope for CIL/Planning Obligations. However, the Council does not consider that Torbay is unusual in having to prioritise funding decisions; nor are these in-principle barriers to growth.

The Council does not consider that the representations to the Replacement Modifications result in the need for major changes to the Main Modifications. However, the Council consider that a small number of minor changes, largely as an editorial matters, should be introduced in response to the Replacement Main Modifications. These are not considered to raise additional issues requiring further Sustainability Appraisal, Habitats Regulations Assessment or Equalities Impact Assessment. They are highlighted **yellow** in the table below and summarised in a separate Schedule of Recommended Further Modifications.

### **What happens next?**

The representations on the Proposed Replacement Main Modifications, along with the Council's response to them, will be considered by the Inspector conducting the Examination of the Local Plan, who will take them into account in the preparation of his final report on the soundness of the Local Plan.

Representations on Proposed Replacement Main Modifications to the Proposed Submission Local Plan				
Mod. ref	Local Plan Policy / para	Person/Organisation	Summary of Representations	Torbay Council Response
RMM1	Policy SS1	<p>Torbay Coast and Countryside Trust (843212) Support</p> <p>Natural England (400188) Support</p> <p>South West Water (417366) Support</p> <p>Teignbridge District Council (438373) No concerns</p> <p>Paignton Neighbourhood Forum (704914) Object</p> <p>Torquay Neighbourhood Forum (817474) Object</p> <p>Brixham Neighbourhood Forum (828890) Object</p> <p>Bloor Homes (Boyer Planning for) C:791437/ A;844198) Object</p> <p>Abacus/Deeley Freed (Stride Treglown on behalf of) A:844863, C: 844862. Object</p> <p>Taylor Wimpey (Origin3 for) A: 844316/ C: 844315 Object</p> <p>PCL Planning for Richmond Torquay (Jersey) Limited (Consultee 844178, Agent</p>	<p><b>Neighbourhood Forums</b></p> <p>Issues of whether the revised growth level (8,900 dwellings and 5-5,500 jobs) is appropriate in relation to objectively assessed need (FOAN) and environmental/ infrastructure capacity. Objections on the grounds that growth rate is not supported by jobs and will put pressure on environmental/infrastructural capacity. The review of the Local Plan should allow for a reduction in growth rates if the economy has not kept pace.</p> <p><b>Natural England</b> (400188) supports the Replacement Main Modifications to the Plan and agrees with the Authority that the spatial distribution is within environmental limits.</p> <p><b>South West Water</b> (417366) No objections. Support sustainable drainage measures to remove surface water from shared sewers. If Policies ER1, ER2 and W5 are implemented in full, SWW do not envisage any significant reason</p>	<p><b>Overview</b></p> <p>In the Council's view, the most important factor in securing sustainable development is to secure an adopted Local Plan as quickly as possible.</p> <p>It regards the issue of environmental constraints to be a more significant issue than the identification of an exact full objectively assessed need (FOAN) figure per se.</p> <p><b>Growth levels / Full Objectively Assessed Needs</b></p> <p>The issue of growth was discussed at the Local Plan Examination. The Council acknowledges that the 2012 based Household Projections are lower than the 2009 based ones (417 dwellings a year) and that they are not purely trend based but assume a recovery in inwards migration towards the 20 year average, which implies a degree of economic recovery. However, economic recovery may generate demand for additional dwellings after year 10 of the Plan period (i.e. not before 2023).</p> <p>Whilst additional information (specifically</p>

	<p>844351). Object</p> <p>South West Housing Association Registered Providers (HARP). Tetlow King for. (Consultee 847469, Agent 844870) Object</p> <p>Home Builders Federation (844154) Object</p> <p>Mrs Hosking (Savills/Smithsgore on behalf of) Agent 830010 Consultee 830289 Object</p> <p>Kingsland, Marldon Road, Roger Arcscott on behalf of (C: 923389, A: 923391) Object</p> <p>Collaton Defence League /Collaton St Mary Residents Association: "The Combination" 844172 Object</p> <p>Collaton St Mary Residents Association (440741)</p> <p>Stoke Gabriel Parish Council (418700)</p> <p>Stoke Gabriel Parish Plan Group (830233)</p> <p>Roger Bristow (428525)</p> <p>Rob and Pat Berry (923420) Object</p> <p>Jeremy and Tracey Fatz (899233) Object</p>	<p>why the Plan cannot be delivered.</p> <p><b>Housebuilders etc</b></p> <p><b>SW HARP</b> Object that the SHMA is out of date. Object that the Plan will not have 15 years Plan period from adoption.</p> <p><b>PCL Planning for Richmond Torquay: Object to reduction in Plan period:</b> will result in less than 15 years from adoption (NPPF 157). <b>Housing evidence is out of date-</b> should consider 2012 based household projections and take into account effect of recession.</p> <p><b>HBF, Bloor Homes, Taylor Wimpey, Abacus/Deeley Freed:</b> Object to reduction in housing numbers- will not meet full objectively assessed need. The Local Plan is unable to demonstrate 5 year supply. Reducing the Plan period and five year review mechanism should not be a substitute for allocating sufficient housing land.</p> <p>Object that the Plan is overly reliant upon five yearly reviews.</p> <p>The Plan relies too much on car parks</p>	<p>household projections and economic forecasts) are relevant, the Council's view is that they do not fundamentally change the overall findings of the Housing Requirements Report (PBA 2013).</p> <p>The Council has set out its view of Objectively Assessed Need in more detail in an update to the technical paper of growth (PH/19)</p> <p>The Council does not consider that it would be appropriate or practical to reduce supply within the five year supply period, not least because such sites will have already been committed. However as set out in the text on Local Plan Review at RAM177 and RAM48, it is possible that the 5 Year review may indicate the need for an upwards or downwards, as such sites are part of a longer term trajectory.</p> <p><b>Jobs target in the first 5 years:</b> The Council would not object to reintroducing a job creation target for the early part of the Plan period, although jobs growth is projected to pick up in 2016 (i.e. year 4 of the Plan period).</p> <p><b>Recommended Further Modification:</b> Refer to a baseline of around 59,000 jobs at 2012, based on NOMIS Business Register at 7.5.14. This is a minor additional modification (see RAM177).</p> <p><b>Plan period:</b> See discussion above. Ending the Plan period in financial year</p>
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		<p>Leaf Lovejoy (829682) Object</p> <p>Susan Miller (923426) Object</p> <p>Steve Sherren (429416) Object</p> <p>Helen Boyles (429431) Object</p> <p>Kevin Wright (900047) Object</p> <p>Susan Swan (900020) Object</p> <p>Frank Seear (923435) Object</p> <p>Dr Martin Ridge (899985) Object</p> <p>Mike Parkes (558519) Object</p>		<p>2030/31 (i.e. a 19 year Plan period ending on 31/3/31) will give a 15 year Plan period from April 2016.</p> <p><b>Natural England's</b> support is welcomed and confirms that the Local Plan's level of growth is deliverable with the environmental safeguards set out in the Plan and augmented by the Proposed Replacement Modifications.</p> <p>Torbay Coast and Countryside Trust's support for the Plan is welcomed.</p> <p><b>Drainage/Sewer capacity.</b> Drainage and sewer capacity issues are noted. There is a need to minimize storm water entering combined sewers. SWW's support for the overall strategy subject to the implementation of SuDS is welcomed.</p>
<b>RMM2</b>	4.1.25	<p>Paignton Neighbourhood Forum (704914) Object</p> <p>Home Builders Federation (844154) Object</p> <p>Bloor Homes (Boyer Planning For) C:791437/ A;844198) Object</p> <p>Taylor Wimpey (Origin3 for) A: 844316/ C: 844315 Object</p> <p>South West Housing Association Registered Providers (HARP). Tetlow King for. (Consultee</p>	<p>Objections to the housing trajectory in the light of comments on RMM1. Object that the NPPF does not require sites to be identified beyond the first five years of the Local Plan, and the Local Plan already contains adequate review mechanisms.</p> <p>South West HARP raised concerns that reliance on Neighbourhood Plans to identify sites (coupled with concerns about the evidence base above ) could create uncertainty for Registered</p>	<p>The additional text at 4.1.25 is intended to prevent uncertainty and/or a lack of 5 year supply post 2017 if Neighbourhood Plans do not allocate sufficient land.</p> <p>The Council does not agree that reliance on Neighbourhood Plans will create uncertainty, as the housing requirement will be set at Local Plan level. The Council have proposed a mechanism to develop site allocations documents should NPs not succeed.</p>

		847469, Agent 844870) Object Kingsland, Marldon Road, Roger Arscott on behalf of (C: 923389, A: 923391) Object Roger Bristow (428525) Object	Providers.	
<b>RMM3</b>	SS2	South Devon AONB Partnership (438366) Support Paignton Neighbourhood Forum (704914) Object* Brixham Neighbourhood Forum (828890) Support Torbay Coast and Countryside Trust (843212) Support South Hams District Council (438382) Support Collaton Defence League /Collaton St Mary Residents Association: "The Combination" 844172. Object Abacus/Deeley Freed (Stride Treglown on behalf of) A:844863, C: 844862. Object Taylor Wimpey (Origin3 for) A: 844316/ C: 844315 Object <b>Bloor Homes</b> (Boyer Planning For) C:791437/ A;844198) Object Roger Bristow (428525) Object* Adrian Gee (417506) Object*	South Hams DC, Brixham Neighbourhood Forum, South Devon AONB Partnership, TCCT and various individuals support the removal of White Rock as a Future Growth Area.  The responses marked with an asterisk * indicated that they still object to the Local Plan's growth rate, although they supported the removal of land south of White Rock  Abacus/Stride Treglown object to the deletion of land south of White Rock. The site will help to meet housing needs and the constraints identified by Natural England (etc) can be overcome.  Bloor Homes and Taylor Wimpey argue that Collaton St Mary is capable of providing more homes than suggested in the draft Masterplan (See RMM11 below)  Paignton Neighbourhood Forum object to the allocation of Collaton St Mary (See RMM 11 below). SS2 should be revised to make it subject to	The Future Growth Areas are firm allocations. Making them subject to designation in NPs would remove certainty.  There is no intention to delete the paragraphs (a) and (c) noted by PNF.  The Council would not object to requiring Mitigation Plans to safeguard the SAC <u>in perpetuity</u> . This could be introduced as an addition to RAM19 relating to Mitigation Strategies (see separate schedule of Replacement Additional Modifications).

		Helen Boyles (429431) Object* Dr Martin Ridge (899985) Object*	Neighbourhood Plan allocation.	
<b>RMM3A</b>	SS4	Paignton Neighbourhood Forum (704914) Object Roger Bristow (428525) Object Mike Parkes (558519) Object	Specify <del>3030-2030/31</del> and <del>4250-4375</del> <u>1375</u> jobs in the first five years of the Plan.	<p>For the avoidance of doubt, the Local Plan should refer to net additional jobs, but not full time equivalent (FTE) unless explicitly stated. The PBA Housing Requirement Report refers to net new jobs, not FTEs. Moreover NOMIS data relates to jobs rather than FTEs. In most instances (Policy SS1, SS4 etc) the Plan correctly refers to net new jobs.</p> <p>The Council has no objection to seeking to assess FTEs, or to recording the part time/full time mix when available from NOMIS. But it may be impractical, and is not essential to gauge against full time equivalent jobs. Nor are FTEs <i>necessarily</i> the appropriate indicator of economic success.</p> <p>The Council have no objection to specifying a single job creation target for the first 5 years (1375) rather than a range, and to clarifying that 2030 means the end of financial year 2030/31. Although this entails amending a Main Modification, this change is not considered to be material to the Local Plan's strategy.</p> <p><b>Recommended Further Main Modification:</b> Amend second paragraph of Policy to</p>

				<p>specify:  The Local Plan supports the creation of at least 5,500 net additional jobs to 2030/31 with an emphasis on delivering <del>1250-1,500</del> 1375 net new jobs in the first 5 years of the Plan period.</p>
<b>RMM4</b>	Table 4.3	Paignton Neighbourhood Forum (704914) Object  Bloor Homes (Boyer Planning For) C:791437/ A;844198) Object  Taylor Wimpey (Origin3 for) A: 844316/ C: 844315 Object  Roger Bristow (428525) Object	Objection to housing numbers in the context of MM1 (Policy SS1) above.	The issues around housing numbers are addressed in RMM1 etc. Table 4.3 Source and timing of New Homes will need to be consistent with the overall growth level in RMM1/SS1
<b>RMM5</b>	SS11	Paignton Neighbourhood Forum (704914) Object  PCL Planning for Richmond Torquay (Jersey) Limited (Consultee 844178, Agent 844351). Object  Bloor Homes (Boyer Planning For) C:791437/ A;844198) Object  Taylor Wimpey (Origin3 for) A: 844316/ C: 844315 Object  Roger Bristow (428525)  Jeremy and Tracey Fatz (899233) Object  Steve Sherren (429416) Object  Helen Boyles (429431) Object	Objections to the Local Plan's housing trajectory, and Council assumptions about job creation, reliance on windfalls, car parks etc, largely in the context of MM1 above.	The issues around housing numbers, and five year supply etc are addressed in MM1 and MM2

		<p>Kevin Wright (900047) Object</p> <p>Susan Swan (900020) Object</p> <p>Susan Miller (923426) Object</p> <p>Frank Seear (923435) Object</p>		
<b>RMM6</b>	4.5.36	<p>Paignton Neighbourhood Forum (704914) Object</p> <p>Kingsland, Marldon Road, Roger Arscott on behalf of (C: 923389, A: 923391) Object</p> <p>Steve Sherren (429416) Object</p> <p>Roger Bristow (428525) Object</p> <p>Home Builders Federation (844154) Object</p> <p>Kingsland, Marldon Road, Roger Arscott on behalf of (C: 923389, A: 923391) Object</p> <p>Bloor Homes (Boyer Planning For) C:791437/ A;844198) Object</p> <p>Taylor Wimpey (Origin3 for) A: 844316/ C: 844315 Object</p> <p>Susan Miller (923426) Object</p> <p>Susan Swan (900020) Object</p> <p>Frank Seear (923435) Object</p> <p>Jeremy and Tracey Fatz (899233) Object</p>	<p>Objections to the Local Plan's housing figure, largely in the context of MM1 above.</p>	<p>The issues around housing numbers, and five year supply etc are addressed in MM1 and MM2</p> <p>The Council recognises that an element of job growth is implicit in the 2012 based Population and Household Projections (See PH/19), but do not consider exceeding the 2012 based HH projections constitutes double counting (of job generated demand) per se.</p>

		Kevin Wright (900047) Object		
<b>RMM7</b>	SS12	<p>Paignton Neighbourhood Forum (704914) Object</p> <p>Brixham Neighbourhood Forum (828890) Object</p> <p>Bloor Homes (Boyer Planning For) C:791437/ A;844198) Object</p> <p>Taylor Wimpey (Origin3 for) A: 844316/ C: 844315 Object</p> <p>Home Builders Federation (844154) Object</p> <p>Roger Bristow (428525) Object</p> <p>Steve Sherren (429416) Object</p> <p>Helen Boyles (429431) Object</p> <p>Kevin Wright (900047) Object</p> <p>Susan Swan (900020) Object</p> <p>Susan Miller (923426) Object</p> <p>Frank Seear (923435) Object</p> <p>Jeremy and Tracey Fatz (899233) Object</p>	<p>Objections to the Local Plan's housing trajectory and jobs first approach, largely in the context of MM1 above.</p> <p>Objections from Bloor Homes and Taylor Wimpey about reliance on car parks and windfall sites within the housing trajectory. Larger sites such as Collaton St Mary are more certain and should be expedited.</p> <p>New housing should be monitored to ensure that it is matched by the <u>Net FTE Jobs</u></p>	<p>See response to MM1/SS1 above, and introductory text to this schedule.</p> <p>See note in RMM3A that the Plan relates to net new jobs but not FTEs.</p>
<b>RMM8</b>	4.5.40	<p>Paignton Neighbourhood Forum (704914) Object</p> <p>Bloor Homes (Boyer Planning For)</p>	<p>Objections to housing trajectory as above. Policy should reduce the housing provision if there is oversupply</p>	<p>See response to SS1 above.</p> <p>The Council has set out a mechanism to review the Plan and increase or reduce</p>

		<p>C:791437/ A;844198)</p> <p>Steve Sherren (429416) Object</p> <p>Roger Bristow (428525)</p> <p>Susan Swan (900020) Object</p> <p>Helen Boyles (429431) Object</p> <p>Kevin Wright (900047) Object</p> <p>Susan Miller (923426) Object</p> <p>Frank Seear (923435) Object</p> <p>Jeremy and Tracey Fatz (899233) Object</p>	<p>against the five year trajectory.</p> <p>Object to text requiring the Council to prepare site allocation plans if Neighbourhood Plans are not found sound by an Independent Examiner by 31 March 2016.</p>	<p>numbers if this is indicated as necessary by the evidence. However it would not be practicable to do this as part of monitoring of five year supply since many of these sites will be committed. There is no requirement in the NPPF to provide <i>only</i> five years' housing supply.</p> <p>The Council agree that the Plan should set a baseline for jobs. The NOMIS baseline of 59,000 at 2012 is an objective baseline (although monitoring will need to take account that other measures differ from NOMIS figures).</p> <p><b>Recommended Further Modification:</b>  <b>Note baseline of 59,000 jobs at 2012.</b> See RAM177</p>
<b>RMM9</b>		<p>PCL Planning for Richmond Torquay (Jersey) Limited (Consultee 844178, Agent 844351). Object</p> <p>Maidencombe Residents' Association (900169) Support</p> <p>Kingsland, Marldon Road, Roger Arscott on behalf of (C: 923389, A: 923391) Objection in relation to Torquay Gateway.</p>	<p>Object to removal of Sladnor Park, Maidencombe which has an extant planning permission (P/2008/1418) for a retirement village. The Council's ecological evidence (Greenbridge Ltd) suggests that Sladnor Park is deliverable.</p> <p>Maidencombe Residents Association support the deletion of Sladnor Park.</p> <p><b>Edginswell/ Torquay Gateway</b></p> <p>Objection from Roger Arscott that Kingsland, Marldon Road should be designated as housing rather than employment and that Kingsland is a highly accessible location due to its</p>	<p><b>Sladnor Park.</b> There is some question over whether permission P/2008/1418 has been lawfully commenced (which would keep the permission alive). The Council has suggested that the site owners should establish this through a Certificate of Lawfulness.</p> <p>Natural England's letter of 18 March 2015 indicates that additional information would be required to locate GHB roosting and assess its significance. The Greenbridge Report (TCMOD/16) indicated that development of Sladnor Park has the potential to effect adversely the integrity of the SAC, and as a minimum a Screening is necessary to establish any Likely</p>

			<p>proximity to the South Devon Link Road.</p>	<p>Significant Effect.</p> <p>On this basis the Proposed Replacement Modifications removed the site because of uncertainty about likely significant effects on bats. The site is not a strategically significant one and could come forward for development should biodiversity and landscape issues be overcome.</p> <p>However, commensurate with the sites rural setting, any development would need to be relatively low density and provide proper landscaping and ecological safeguards/enhancement.</p> <p><b>Edginswell/ Torquay Gateway.</b> Housing numbers at Policy SDT3 have not been modified so Mr Arcscott's objection is only duly made insofar as increased housing at Torquay gateway could compensate for the reduction in housing elsewhere in Torbay.</p> <p>Torquay Gateway has been the subject of Masterplanning and the Council considers that the objection is to the designation of uses within the Masterplan, rather than to the Local Plan. In any event, the Council considers that it is important that the Gateway is a mixed use development which capitalizes on the area's accessibility to provide employment as well as housing. It is critical that the Masterplanning of the site has regard to the most appropriate disposition of uses</p>
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				within the Gateway Future Growth Area as a whole.
<b>RMM10</b>	SDP1	<p>Paignton Neighbourhood Forum (704914) Object</p> <p>Steve Sherren (429416) Object</p> <p>Helen Boyles (429431) Object</p> <p>Kevin Wright (900047) Object</p> <p>Dr Martin Ridge (899985) Object</p> <p>Jeremy and Tracey Fatz (899233) Object</p> <p>Taylor Wimpey (Origin3 for) A: 844316/ C: 844315 Object</p>	Objections to Paignton's growth level in the context of MM1 above.	The issue of growth levels is addressed in the context of MM1 above.
<b>RMM11</b>	SDP3	<p>South Hams District Council (438382)</p> <p>Paignton Neighbourhood Forum (704914) Object</p> <p>Bloor Homes (Boyer Planning For) C:791437/ A;844198)</p> <p>Taylor Wimpey (Origin3 for) A: 844316/ C: 844315</p> <p>Collaton Defence League /Collaton St Mary Residents Association: "The Combination" 844172</p> <p>Collaton St Mary Residents Association (Mrs A Waite for)</p> <p>Maze Consulting for Mr and Mrs Hopkins (427800) Support</p>	<p><b>Paignton Neighbourhood Forum and others</b></p> <p>Objections to Paignton's growth level in the context of MM1 above.</p> <p>Object to identification of Collaton St Mary as a Future Growth Area due to lack of need, infrastructure, landscape and biodiversity/HRA reasons.</p> <p>Reduction of dwellings at Collaton St Mary does not go far enough to alleviate infrastructure and environmental impact.</p> <p>The Policies Map should be amended to reflect reduced levels of growth in the RMMs.</p> <p><b>South Hams DC:</b> Concern about the low density of development at Collaton St Mary. (i.e. a higher density would</p>	<p><b>Is the revised level of development (@460 dwellings) appropriate at Collaton St Mary?</b></p> <p>Collaton St Mary has been the subject of detailed Masterplanning. The Masterplan has assessed the landscape impact of development. It is noted that the strongest developer interest relates to the North of Totnes Road, which some objectors consider to be the more sensitive in landscape terms.</p> <p>Whilst detailed schemes <b>may</b> demonstrate higher numbers of dwellings are achievable without causing undue landscape or greater horseshoe bat/biodiversity impact; the Council has not received evidence to show how this could be achieved. On this basis it considers that the capacity identified in the</p>

		<p>Roger Bristow (428525) Object</p> <p>Ben and Jane Downing (923422) Object</p> <p>Steve Sherren (429416) Object</p> <p>Susan Miller (923426) Object</p> <p>Helen Boyles (429431) Object</p> <p>Kevin Wright (900047) Object</p> <p>Mike Parkes (558519) Object</p> <p>Adrian Gee (417506) Object</p>	<p>reduce development pressure elsewhere).</p> <p><b>Maze (for Mr and Mrs Hopkins):</b> Support SDP3 and identification of Woodlands as an access point in the draft Masterplan.</p> <p><b>Bloor Homes and Taylor Wimpey :</b> Object to the reduction of housing numbers at Collaton St Mary. Bloor Homes argue that 160 dwellings are achievable on the site promoted by them.</p> <p>Both Bloor Homes and Taylor Wimpey argue that their sites are deliverable in the short term and have greater certainty of delivery than car parks and urban windfall sites.</p>	<p>Masterplan is the most justifiable figure, based on the available evidence.</p> <p>The Masterplan's boundaries correspond to the Future Growth Area boundary on the Policies Map, and there is no need to amend the latter. The Local plan is clear that not all of the land shown as a Future Growth Area is developable (para 4.1.32), although it may fulfil landscaping, green infrastructure, biodiversity offsetting or other roles.</p> <p>The Council does not consider it is appropriate to increase the housing requirement at Collaton St Mary simply because it is relatively less constrained than the south of Torbay. Each site should be considered on its merits and the extent to which development impacts can be mitigated.</p>
<b>RMM12</b>	SDB1	<p>Brixham Neighbourhood Forum (828890) Support with caveats</p> <p>South Hams District Council (438382) Support</p> <p>Torbay Coast and Countryside Trust (843212) Support</p> <p>Abacus/Deeley Freed (Stride Treglown on behalf of) A:844863, C: 844862. Object</p>	<p>Support for removal of White Rock.</p> <p>Brixham Neighbourhood Forum are seeking to identify land for 770 dwellings. However they note that there may be HRA constraints and therefore the Local Plan target of 660 is prudent.</p> <p>Abacus/Deeley Freed object to the deletion of land south of White Rock.</p>	<p>Whilst it is noted that Brixham Neighbourhood Forum endorses Paignton Neighbourhood Forum's objections to overall housing numbers, their support for the number within the Brixham Peninsula is noted.</p> <p>See introductory section and RMM3/Policy SS2 for discussion of land south of White Rock.</p> <p>See the schedule of Replacement Additional Modifications for discussion on Brixham Neighbourhood Forum's (and CPRE's) objection relating to the appropriate landscape designation of the</p>

				Golf Course (RAM109).
<b>MMM 13</b>	TC3	Paignton Neighbourhood Forum (704914) Support	Reduction in retail proposal threshold test is supported by Paignton Neighbourhood Forum (and others who endorse their views).	There have been no objections (and 1 supporting comment) to this Modification.
<b>MM14 Appendix D</b>				
<b>Torquay</b>				
Sladnor Park (Removed site)		PCL Planning for Richmond Torquay (Jersey) Limited (Consultee 844178, Agent 844351). Object Maidencombe Residents Association (900169) Support		See above.
Steps Cross, Watcombe		Sport England (501495): Support the deletion of Steps Cross Cllr Steve Darling (899040) Support the deletion of Steps Cross		Noted
Town Hall Car Park		No representations		
Temperance Street).		No representations		
Lower Union Lane		No representations		
Terrace Car Park		No representations		
<b>Paignton</b>				
Victoria Square		Paignton Neighbourhood Forum (Support) (704914) Roger Bristow (428525) (Support) Bloor Homes (Boyer Planning For) C:791437/ A;844198) Taylor Wimpey (Origin3 for) A: 844316/ C: 844315		Support subject to retention of sufficient car parking welcomed Bloor Homes object to the deliverability of car park sites due to flooding, parking etc issues. However these objections appear to be in the context of their promotion of land at Collaton St Mary rather than objections per se.
Station Lane		Paignton Neighbourhood Forum (Support) (704914)		Support subject to retention of sufficient car

	Roger Bristow (428525) Bloor Homes (Boyer Planning For) C:791437/ A;844198 Taylor Wimpey (Origin3 for) A: 844316/ C: 844315	parking welcomed Bloor Homes object to the deliverability of car park sites due to flooding, parking etc issues. However these objections appear to be in the context of their promotion of land at Collaton St Mary rather than objections per se.
Paignton Harbour.	Paignton Neighbourhood Forum (Support) (704914) Roger Bristow (428525) Bloor Homes (Boyer Planning For) C:791437/ A;844198 Taylor Wimpey (Origin3 for) A: 844316/ C: 844315	Support subject to retention of sufficient car parking welcomed Bloor Homes object to the deliverability of car park sites due to flooding, parking etc issues. However these objections appear to be in the context of their promotion of land at Collaton St Mary rather than objections per se.
<b>Brixham</b>		
Mrs Hosking (Savills/Smithsgore on behalf of) Agent 830010 Consultee 830289	Land at St Marys Campsite is subject to ecological assessments that will be available in September. The site should remain identified in the Local Plan.	See discussion above. The site is unlikely to be strategically significant and any development potential limited to a relatively small number of dwellings.
Stoney Park Allotments Association (923362) Object - Minor map amendment to Northcliff Hotel.	Amend boundary of Northcliff Hotel site to exclude former car park area which is now used as part of the allotments.	Noted: The site boundary on the Policies Map can be amended as a minor editorial matter. This is dealt with in the schedule of Replacement Additional Modifications.
Brixham Neighbourhood Forum (828890)	Support removal of Churston Golf Club.	Noted. See the schedule of Replacement Additional Modifications for discussion on Brixham Neighbourhood Forum's (and CPRE's) objection relating to the appropriate landscape designation of the Golf Course (RAM109).
<b>South Devon AONB Partnership</b> (438366) Support	Support deletion of land south of White Rock and St Marys Campsite	Noted

