

TORBAY LOCAL PLAN

A landscape for success:

The Plan for Torbay – 2012 to 2032 and beyond

PROPOSED SUBMISSION PLAN (FEBRUARY 2014)

TORBAY COUNCIL SUMMARY OF RECOMMENDED FURTHER ADDITIONAL MODIFICATIONS TO THE SUBMISSION LOCAL PLAN IN RESPONSE TO REPRESENTATIONS MADE ON THE PROPOSED REPLACEMENT MODIFICATIONS

Torbay Council - 14 August 2015

Explanatory note: Summary of Recommended Further Additional Modifications to the Proposed Submission Local Plan

Summary of this document

This document summarises the Council's Recommended Further Modifications to the Submission Version of the Torbay Local Plan, in response to representations it has received on the Proposed Replacement Additional Modifications (RAMs) to the Local Plan. Each Recommended Further Modification is of a minor nature and has been classified as an Additional, rather than Main Modification. No Further Main Modifications are proposed to the Proposed Replacement Main Modifications (RMMs).

The Proposed Replacement Modifications were the subject of public consultation between Monday 22nd June and Monday 3rd August, 2015.

Separate schedules have been prepared which list representations to the Proposed Replacement Main Modifications and Replacement Additional Modifications. These summarise representations made, explain how the Council has considered them, and **set out** the rationale for the Recommended Further Modifications set out in this document.

The majority of the Recommended Further Modifications are minor editorial matters that clarify the strategy set out in the Proposed Submission Version of the Local Plan and are amplified by the Proposed Replacement Main and Additional Modifications. On this basis they are not considered to raise additional issues requiring further Sustainability Appraisal, Habitats Regulations Assessment or Equalities Impact Assessment.

Because the Recommended Further Additional Modifications largely amend text of Replacement Additional Modifications (RAMs), the reference number has been kept the same where possible. So, for example the subject matter of FAM5 relates to the text previously modified as part of RAM5.

The Inspector examining the Local Plan will reach a view on the Replacement Main Modifications in his final report.

Recommended Further Additional Modifications	Local Plan policy/ paragraph	Summary of Recommended Further Additional Modifications to the Submission Local Plan
FAM5	1.1.15	<p>Add sentence to additional text in RAM5:</p> <p>However where there is market failure (e.g. a lack of delivery of new homes) other solutions to allocating more land are likely to appropriate likely to be appropriate. Conversely, there may be a case to reduce growth rates if there is evidence of oversupply against objectively assessed need and demand. Major changes arising....</p>
FAM17	4.1.20	<p>Add sentence to additional text in RAM17:</p> <p>The greater horseshoe bat mitigation strategy should be implemented within development areas. In accordance with Policies SS8 and NC1 (below) these should show how any adverse impacts of development are capable of being mitigated in perpetuity. Further details are....</p>
FAM19	4.1.32	<p>Add to the end of additional text in RAM19</p> <p>This is available on the Local Plan website (Local Plan Library document SD/26/Appendix B and Addendum).</p>
FAM22A (Formerly RMM3A)	SS4	<p>Amend second paragraph of Policy SS4</p> <p>The Local Plan supports the creation of at least 5,000-5,500 net additional jobs by 2030/31 with an emphasis on delivering 4250-4,500 around 1375 net new jobs in the first 5 years of the Plan period.</p> <p>Note that this relates to Policy SS4, which was previously the subject of RMM3A. However the Council considers that the further change now proposed is a minor one of clarification.</p>
RAM74	5.2.2.10 and table 5.11	<p>Some Representations have stated that RAM74 should be considered as Main Modifications. However, for the reasons set out in Torbay Councils Response to Replacement Additional Modifications, the Council is not recommending further changes to RAM74.</p>
FAM99	6.1.2.27	<p>Add to the end of paragraph 6.1.2.27:</p> <p>Works to harbours or off-shore facilities may require a Marine Licence from the Marine Management Organisation.</p>

FAM112	6.3.1.21	Add to the end of last bullet point of additional text of RAM112: Some marine works will require a marine licence and/or an environmental impact assessment as covered in Policy TO3.
FAM129	H2	Delete RAM129 (i.e. revert to the Submission Local Plan threshold for affordable housing). Note that some Representations have argued that RAM129 and RAM130 should be considered as Main Modifications.
FAM130	6.4.1.7	Delete RAM130 (i.e. revert to the Submission Local Plan text in paragraph 6.4.1.7)
FAM134	6.4.1.19	Add to the end of the first sentence of paragraph 6.4.11.19: ...for their own occupation. Where provided as affordable housing, they should also meet the definition of affordable housing in Appendix A of the Local Plan and Annex2 of the NPPF, i.e. be provided for people who cannot afford to buy or rent a house on the open market. Amend second sentence of Paragraph 6.4.24: The operation of this will also be addressed in further guidance, as will other implementation matters such as health and safety, length of build programme, working hours etc.
FAM143	6.4.2.10	Add to the end of RAM143 (inserted at the end of paragraph 6.4.2.14). "These (space standards) are intended to be operated flexibly with regard to viability and other considerations. However the creation of small apartments by subdivision/ conversion will be resisted where this would result in an unpleasant or unhealthy living environment, or exacerbate concentrations of deprivation (see also Policy SS10).
FAM144A	6.4.2.17	Amend Paragraph 6.4.2.17 to replace "lifetime" with "accessible and adaptable"
FAM155	6.5.1.6.	Delete last paragraph of RAM155 (inserted into paragraph 6.5.1.6): The Government is also committed to introducing a range of "Allowable Solutions to allow off site carbon abatement, where necessary, as part of implementing the Zero Carbon standard during 2016.
FAM169	6.5.3.26	Amend second added paragraph of RAM169 (inserted into paragraph 6.5.3.26) Consequently new development should will be required to have separate foul and storm water drainage systems. Details

		<u>of these should be provided at planning application stage.</u> In addition Water Sensitive Urban Design...
FAM177	7.5.14	Insert into 7.5.14 (as amended by RAM177): Economic Performance (including job creation from Business Register and other surveys, <u>against a baseline of 59,000 jobs in Torbay in 2012 (NOMIS Business Register),</u> unemployment...
Policies Map Booklet	-	Amend Policies Map (Brixham Town Centre Inset) to <u>exclude area used as allotments from the Northcliff Hotel site.</u>