

For discussion and decision

Paignton Neighbourhood Plan Forum Meeting - 21 January 2016

Draft insert to Compliance and Basic Conditions Statement
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**Appendix 4:
General conformity with the strategic policies of the development plan and
other development documents**

Scope and purpose

- A4.1 This Appendix sets out the evidence that shows the Neighbourhood Plan is:
- a) in general conformity with the strategic policies of the development plan, and
 - b) supports other non statutory development documents the Council has asked are also taken into account.
- A4.2 The assessment therefore goes beyond the requirement of the Regulations.

a) General conformity with the development plan.

- A4.3 The relevant development plan is the new Torbay Local Plan (subtitled “*A landscape for success*”) adopted by Torbay Council on 10 December 2015.
- A4.4 The adoption followed an extended period of formal Examination and Modification from November 2014 until publication of the Inspector's final report on 12 October 2015.
- A4.5 The development plan (Local Plan) consists of two documents:
- i) a written statement containing the adopted policies;
 - ii) an accompanying booklet containing the policy maps

Identifying the strategic policies

- A4.6 In accordance with PPG-067, the Council confirmed to the Forum on 19 November 2015 (by email) that the strategic policies of the new Local Plan are those contained in:
- Part 4 - entitled “Spatial strategy for strategic direction”;
 - Part 5 - entitled “Strategic delivery areas”;
 - Part 6 (in part) - entitled “Policies for managing change” that need to be assessed against NPPF156 and PPG21-017-05.
- A4.7 The Forum accepted this advice and assessed the Neighbourhood Plan first in relation to the strategic policies in Part 4, followed by those in Part 5, and finally those in Part 6 using the methodology in PPG-075 as referred to in paragraph 3.19 of this Statement.
- A4.8 Applying the criteria of PPG-075 confirmed that the policies of Parts 4 and 5 are all strategic and multi purpose in content, as shown in Table 4.1 below.

A4.9 Also included in Table 4.1 are the policies of Part 6. All were found to have a strategic element, therefore have all been taken into account to ensure a comprehensive assessment.

Table 4.1 Assessed strategic policies of the development plan *[insert rest of Part 6 below]*

Strategic policies of the new Torbay Local Plan	Type of strategic policy (PPG-075)						
	Sets a direction	Shapes development	Strategic in scale	Balances priorities	Sets a standard	Allocates sites	Identified as strategic
Part 4 – Spatial strategy and policies for strategic direction:							
SS1 - Growth Strategy for a prosperous Torbay	✓		✓		✓	✓	✓
SS2 - Future Growth Areas	✓	✓	✓	✓	✓	✓	✓
SS3 - Presumption in favour of sustainable development	✓				✓		✓
SS4 - The economy and employment	✓		✓		✓	✓	✓
SS5 - Employment space	✓	✓			✓	✓	✓
SS6 - Strategic transport improvements	✓		✓				✓
SS7 - Infrastructure, phasing and delivery of employment	✓	✓	✓	✓	✓		✓
SS8 - Natural environment	✓		✓	✓	✓		✓
SS9 - Green infrastructure	✓	✓	✓		✓	✓	✓
SS10 – Conservation and the historic environment	✓				✓		✓
SS11 - Sustainable communities	✓		✓	✓	✓		✓
SS12 - Housing	✓	✓	✓	✓	✓	✓	✓
SS13 - Five year housing land supply	✓					✓	✓
SS14 - Low carbon development and adaptation to climate change	✓	✓	✓		✓		✓
Part 5 - Strategic Delivery Areas – a policy framework for Neighbourhood Plans							
SDP1 - Paignton	✓	✓	✓	✓	✓	✓	✓
SDP2 - Paignton Town Centre and Seafront	✓	✓	✓	✓	✓	✓	✓
SDP3 - Paignton North and Western Area	✓	✓	✓	✓	✓	✓	✓
SDP4 - Clennon Valley Leisure Hub	✓	✓	✓	✓	✓	✓	✓
Part 6 – Policies for managing change							
TC1- Town Centres and retailing	✓		✓	✓			
TC2 – Torbay retail hierarchy	✓			✓			
TC3 – Retail development	✓				✓	✓	
TC4 – Change of retail use	✓			✓			
TC5 – Evening and night time economy	✓	✓					
TO1 – Tourism, events and culture	✓						
TO2 – Change of use of tourism accommodation and facilities	✓			✓	✓		
TO3 – Marine economy	✓				✓		
TA1– Transport and accessibility	✓	✓	✓		✓		
TA2 – Development access							
TA3 – Parking requirements							
IF1 – Information and communications technology							
C1 – Countryside and the rural economy							
C2 – The coastal landscape							
C3 – Coastal change management							
C4 – Trees, hedgerows and natural landscape features							
C5 – Urban Landscape Protection Areas							
NC1 – Biodiversity and geodiversity							
HE1 – Listed Buildings							
H1 – Applications for new homes							
H2 – Affordable housing							
H3 – Self build affordable housing and exception sites							
H4 – Houses in multiple occupation (HMOs)							
H5 – Sites for travellers							

H6 – Housing for people in need of care							
DE1– Design							
DE2 – Building for Life							
DE3 – Development amenity							
DE4 – Building heights							
DE5 – Domestic extensions							
DE6 - Advertisements							
SC1- Healthy Bay							
SC2 – Sport, leisure and recreation							
SC3 – Education, skills and local labour							
SC4 – Sustainable food production							
SC5 – Child poverty							
ES1- Energy							
ES2 – Renewable and low carbon infrastructure							
ER1 – Flood risk							
ER2 – Water management							
ER3 - Contamination							
ER4 – Ground stability							
W1 – Waste hierarchy							
W2 – Waste audit for major and significant waste generating developments							
W3 – Existing waste management facilities in Torbay							
W4 – Proposals for new waste management facilities							
W5 – Waste water disposal							
M1 – Minerals extraction							
M2 – Maximising the use of secondary and recycled aggregates							
M3 – Preserving and safeguarding of limestone resources and key local building stone							

A4.10 Sustainable growth of jobs and homes sits at the core of the development plan strategy. Therefore these are referred to first in the assessment summary below, followed by all other strategic policies.

Jobs and homes

A4.11 The Local Plan strategy overall is to “plan, monitor and manage” for net growth of jobs and homes within Torbay’s remaining environmental capacity. It is not a strategy of “predict and provide”.

A4.12 The strategy approved features two key aspects:

- to plan “in tandem” for 5,000-5,500 net growth of jobs (from a total of 59,000 in 2012) plus 8,900 additional homes based on 7,550 for an assumed return to net inward migration and household size reduction, plus 1,350 to stimulate net job growth;
- to monitor progress annually, with 5 year major Reviews in 2020/21 and 2025/26, or earlier if justified, because the objectively assessed need includes a number of key economic and demographic assumptions with significant uncertainties.

A4.13 If net job growth exceeds expectation, the plan is to increase housing within Torbay’s remaining environmental capacity. Conversely, if net job growth is less successful, the plan is to revise housing growth downwards to ensure sustainable balance.

A4.14 The strategy notes that Torbay is nearing its environmental capacity for sustainable growth, and increasingly will need to look beyond the present boundary via joint review arrangements with neighbouring authority areas, as identified under the “Duty to Co-operate” assessed at the Examination Hearing.

A4.15 The strategic policies of the Local Plan as Modified reflect the Inspector’s conclusions:

- “.. the Plan (Local Plan) will need to be reviewed regularly over the years and it is unrealistic to think that the current plan can be very prescriptive about the latter part of the plan period.” (para 37)
- “.. the prudent approach is to initially be conservative with the number of dwellings to be planned for and to monitor the situation carefully.” (para 40)
- “.. There will be ample opportunity to increase housing numbers if justified by jobs growth. Alternatively it may be necessary to reduce housing numbers over the plan period if the Council's jobs growth strategy is less successful than is hoped. At the present it is regarded as sensible and pragmatic to plan for 8,900 additional dwellings over the plan period (to 2029/30)” (para 41).

The approved trajectories

A4.16 The Neighbourhood Plan conforms to the approved trajectories of the Local Plan. To the first Major Review in 2020/21 (see A4.10 above), or earlier if needed, the trajectories for job and home growth across the Local Plan area of Torbay are shown in Table 4.2 below:

Table 4.2 Local Plan trajectories

Phase	Plan period	Financial year	Jobs Policy SS1	Homes Policy SS13
Plan Adopted	1	2012/13	Net job growth of 275 -300 per year	400 per year
	2	2013/14		
	3	2014/15		
	4	2015/16		
	5	2016/17		
Major Review	6	2017/18		495 per year
	7	2018/19		
	8	2019/20		
	9	2020/21		
	10	2021/22		
Major Review	11	2022/23		555 per year
	12	2023/24		
	13	2024/25		
	14	2025/26		
	15	2026/27		
Plan End	16	2027/28		
	17	2028/29		
	18	2029/30		
Net growth			5,000-5,500	8,915

Rounded to nearest 5

A4.17 **For net job growth** the Neighbourhood Plan incorporates and supports all of the employment land and regeneration areas identified by the Local Plan (at LP Table 4.2) as shown below:

Deliverable sites with planning permission:

- White Rock, Paignton (Policy SDP3.5)
- Yalberton Industrial Estate, Paignton (Policy SDP3)

Refurbishment of existing sites

- Yalberton Industrial Estate, Paignton (Policy SDP3)

Town Centre regeneration

- Victoria Centre, Crossways and Harbour (Policy SDP2)

Opportunities in the built up area

- Claylands, Paignton (Policy SDP1/SDP3)

Future Growth Areas

- Collaton St Mary, Paignton, proposed village centre enhancement (Policy SDP3)

A4.18 **For housing growth** the Neighbourhood Plan has adopted the trajectory of the approved Local Plan (at paragraph 4.4.58), as shown in Table 4.3 below:

Table 4.3 Housing trajectory

Plan years Financial years	1-5 2012/17 (5yrs)	6-10 2017/22 (5yrs)	11-15 2022/27 (5yrs)	16-18 2027/30 (3yrs)	1-18 2027/30 (18yrs)
Torquay	890	1,020	1,275	770	3,955
Paignton	965	1,110	1,385	830	4,290
Brixham	150	170	210	130	660
Torbay	2,005	2,300	2,870	1,730	8,905

Rounded to nearest 5

A4.19 The above trajectories include an approved allowance of 130 per year for undefined sites of 5 homes or less, defined as “Windfall sites”. The Local Plan notionally ascribes this total to each Neighbourhood Plan in the ratio of 65 (50%) for Torquay, 52 (40%) for Paignton, 13 (10%) for Brixham.

A4.20 Deducting the approved allowance for “Windfall sites” produces the relevant quantum of specific sites expected in each Neighbourhood Plan, as shown for Paignton in Table 4.4 below:

Table 4.4 Paignton trajectory

Plan years	1-5 2012/17 (5yrs)	6-10 2017/22 (5yrs)	11-15 2022/27 (5yrs)	16-18 2027/30 (3yrs)	1-18 2012/30 (18yrs)
Paignton Total	965	1,110	1,385	830	4,290
Less Windfall	260	260	260	155	935
Specific sites	705	850	1,125	675	3,355

Rounded to nearest 5

A4.21 The Inspectors Report confirmed that a sufficient NPPF 5 year supply of housing sites existed at 1st April 2015 (i.e. years 4-8 covering 2015/16 – 2019/20) as evidenced in Council document PH21. This included 737 identified sites for Paignton, thus requiring only a further 393 for the addition of years 9 and 10 to make provision for years 4-10, and 2,930 for years 4-18 as shown in Table 4.5 below

Table 4.5 Neighbourhood Plan sites requirement

LP Requirement		Including PH21	
For year 4+5 (705 x 2/5)	280	For year 4-8 (PH21)	737
For years 6-10	850	For years 9+10	393
For years 4-10	1,130	For year 4-10	1,130
For years 11-15	1,125	For years 11-15	1,125
For years 16-18	675	For years 16-18	675
For years 4-18	2,930	For years 4-18	2,930

Plus windfall

A4.22 In conformity with the Local Plan, the Neighbourhood Plan includes sites for years 6-10 and onwards. For completeness, those for years 4 and 5 have also been included.

A4.22 Actual planning consents for windfall sites (of 5 homes or less) currently exist in excess of the assumed allowance of 130 per year. This excess assists in reducing the need for Greenfield or constrained sites to meet the Local Plan. The excess position at 1 April 2015 stood at 207 dwellings. Only a proportion of this excess (50) has been included in the Neighbourhood Plan assessment by applying the same notional ratio as in the Local Plan (see paragraph A.4.19 above). It has not been assumed this excess continues in future years, even though it might do so.

A4.23 The overall provision made in the Neighbourhood Plan compared with the requirement is summarised below in Table 4.6;

Table 4.6 Paignton Neighbourhood Plan – sites included

Plan period	4-8 2015/20 (5yrs)	9-10 2017/22 (2yrs)	11-15 2022/27 (5yrs)	16-18 2027/30 (3yrs)	4-18 2015/30 (15yrs)
LP Requirement	737	393	1,125	675	2,930
NP Provision made	787	489	1,131	688	3,095

A4.22 Thus in conformity with the Local Plan, the Neighbourhood Plan includes sites for all periods that meet the trajectory required.

A4.23 This includes meeting all other requirements summarised below:

- all sites for years 6-10 and 11-15 either have planning consent or have been confirmed as deliverable by the Council's Strategic Housing Land Availability Assessment (SHLAA);
- as shown in Table 4.7, (and location plans attached), the distribution between the Town Centre, North and West area, and rest of Paignton are all in general conformity with the Local Plan;
- in accordance with the approved strategy of meeting market requirement, the provision does not assume that sites identified would deliver more than 35 per year;
- the total of sites identified will at the first Major Review in year 9 (2020/21) more than meet the NPPF rolling 5 year requirement (i.e. over the period 2020/21 - 2025/26), including the required "buffer" of 5%;
- none of the provision relies on the inclusion of sites identified in the Local Plan that have noted constraints or unresolved issues.
- none of the provision relies on sites with Habitat Regulation Assessment (HRA) implications.

A4.24 In particular, the provision does not draw on sites beyond year 15 that the approved Local Plan has recognised are constrained or have significant issues not yet resolved. In particular, land at Collaton St Mary.

A4.25 The phased and conservative provision also accords with the Inspectors conclusion that it is unrealistic to think that the current plan can be very prescriptive about the latter part of the plan period (see para A4.15 above).

A4.26 It is of further relevance to note that net job growth has not yet occurred and a further 1,800 are required to compensate for reduction that has occurred since 2012. Thus it is not justified to go beyond the first Major Review year at present, other than to note that the housing

trajectory is likely to be revised downward. . The South Devon Link Road (South Devon Highway) has been identified as key to the strategy, and opened for use on 15 December 2015.

In summary – jobs and homes

A4.27 In every respect, the Neighbourhood Plan is in general conformity with the strategy of the development plan regarding the required provision for jobs and homes.

General conformity with other Part 4, 5 and 6 strategic policies

[Insert here the assessment results in schedule format]

b) General conformity with other development documents

A4.28 As an additional step, the assessment for general conformity has included the following documents at the request of the Council even though they do not form part of the strategic policies of the statutory development plan.

A4.29 The purpose of this additional step has been to see how far they assist in helping to inform the content of the Neighbourhood Plan and assist the purpose of the development documents themselves .

[Insert here the document list, assessment results, and grid of type]

End of Appendix 4

Table 4.7 Neighbourhood Plan - Housing sites

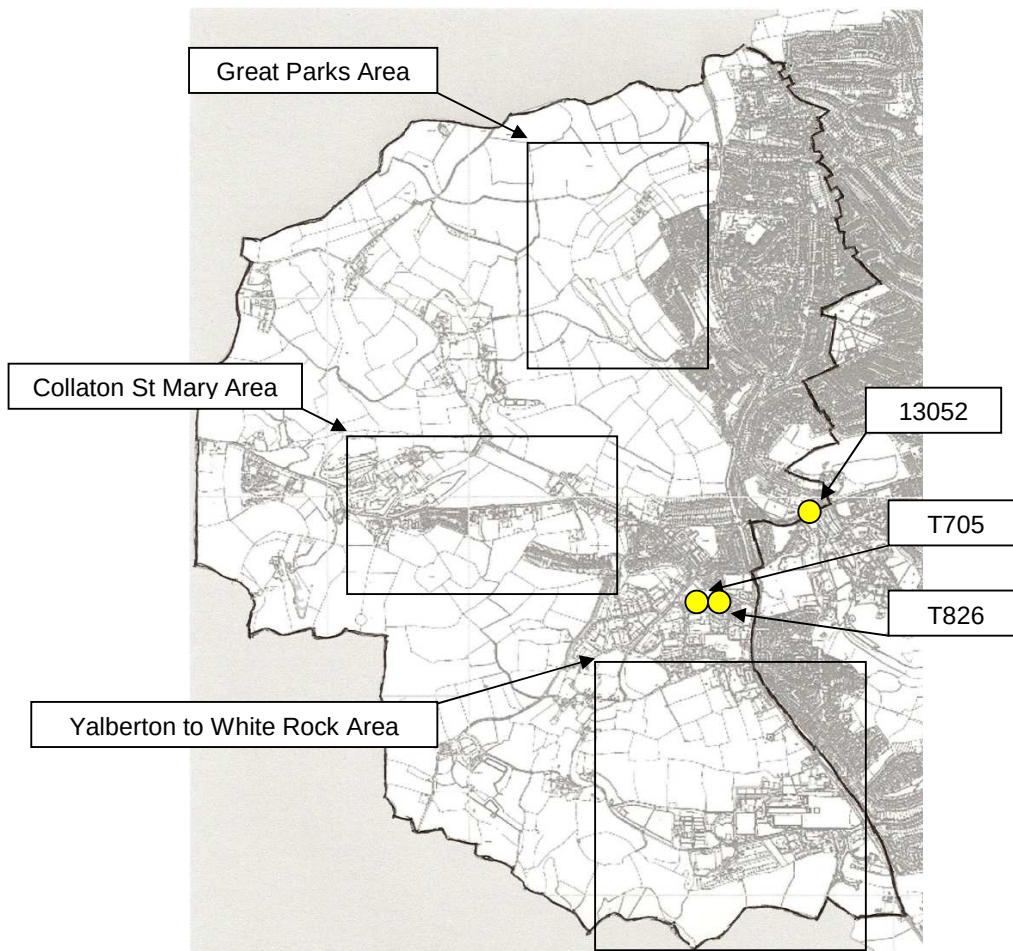
Table 4.7 Neighbourhood Plan - Housing sites			5yr Review 2020/21	5yr Review 2025/26				
From 1/4/2015								
Location	Ref	Period & Year	4-8 2015/20 5yrs*	9-10 2020/22 2yrs	11-15 2022/27 5yrs	16-18 2027/30 3yrs**	4-18 2015/30 15yrs**	
Town Centre & Seafrost SDP2	HC233	Courtland Rd	38				38	
	13240	Crossways			150		150	
	13242	Hyde Rd / Torbay Rd			50		50	
	13250	Queens Park				50	50	
		SHLAA Deliverable Urban					0	
	New	2 Courtland Rd	15				15	
	13034	10 Palace Avenue		9			9	
	13094	Montana, 10 Belle Vue Rd		6			6	
	13162	4 Palace Ave		6			6	
	13051	Silverlawns, 31 Totnes Rd		21			21	
	13069	Lyndhurst, Lower Polsham Rd		12			12	
	T718	Angleside House		24			24	
	T797	20 Roundham Rd		10			10	
		SHLAA Constrained Urban					0	
	13066	Lighthouse, Esplanade Rd				20	20	
	T787	Victoria Park MSCP				60	60	
	H1.014	Station Lane			30		30	
	T857	Paignton Harbour				40	40	
		Non Identified 6+					0	
		13036	Seaford Sands Hotel	14				14
		13043	Seaford Hotel, Stafford Rd	9				9
North & West SDP3	SDP3.1	Preston Down Rd					0	
	13195	Land Preston Down Rd North				50	50	
	13196	Land Preston Down Rd South				50	50	
	SDP3.2	Great Parks					0	
	H1.11	Masterplan	60	60	65		185	
	H1.12	Masterplan		20	100		120	
	H1.13	P/2014/0938			68		68	
	13004	Alfriston Rd (P/2012/1074)	60	24			84	
	13028	Luscombe Rd (P/2004/1989)			47		47	
	SDP3.3	Totnes Rd					0	
	T710	Motel / Area A		42			42	
	Draft MP	Area B				130	130	
	Draft MP	Area C (excl. Motel /Area A)				178	178	
	Draft MP	Area D				70	70	
	Draft MP	Area E				40	40	
	SDP3.4	Yannons / H. Gruit / Devon. Pk					0	
	T755	Yannons Farm	194				194	
	T758	Park Bay / Holy Gruit	37				37	
	T843	Yalberton (P/2014/0983)		65	127		192	
	13263	Devonshire Park (P/2014/0947)		70	185		255	
	SDP3.5	White Rock					0	
T756a	P/2011/0197 onward	175	70	100		345		
LDO	Student Accommodation^^		50	70		120		
	Non Identified 6+					0		
	13021	Kings Ash House	14				14	
Elsewhere in SPD1		SHLAA sites elsewhere SDP1					0	
	T706	Marine Pk Goodrington	39				39	
	T742	Oldway, inc Fernham	46				46	
	T744	Divisional Police HQ	14				14	
	T866	R/O Gibson Rd	6				6	
	HC213	5 Broadsands Rd	8				8	
	P/2014/1017	Roseville, Marine Gardens	8				8	
	13052	Totnes Road Service Station			14		14	
	R125	Parkhill House, 1 Southfield Rd			15		15	
	13105	Alan Kerr Garage, Brixham Rd			10		10	
	13123	Land at 4-6 Eugene Rd			6		6	
	13148	63 Manor Rd			8		8	
	13166	R/O Quarry Terrace,Maridon Rd			8		8	
	13189	Modern Motoring, Torquay Rd			6		6	
	T705	Land at Intek House			12		12	
	T709	Vauxhall Garage, Torquay Rd			20		20	
	T826	50% of Depot, Borough Rd			40		40	
		Excess windfalls (5 or less)***	50				50	
	Paignton SDP1 – NP Total			787	489	1,131	688	3,095
	Excluding approved windfalls of 52 per year			1,276				
	Adopted LP 2015 Requirement			737	393	1,125	675	2,930
			1,130		Broad Location			
					Developable			
					Deliverable			

* PH21 approved by LP Inspector as at 1/4/2015

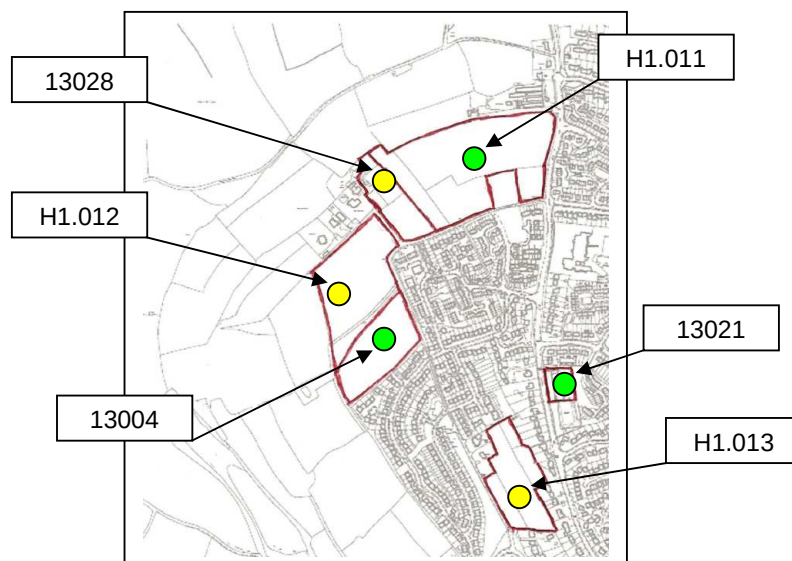
** Subject to 5 yr Review in 2020/21 and 2025/26 of progress of net job growth and housing need assumed in LP

*** Excess windfalls (of 5 or less) above normal allowance

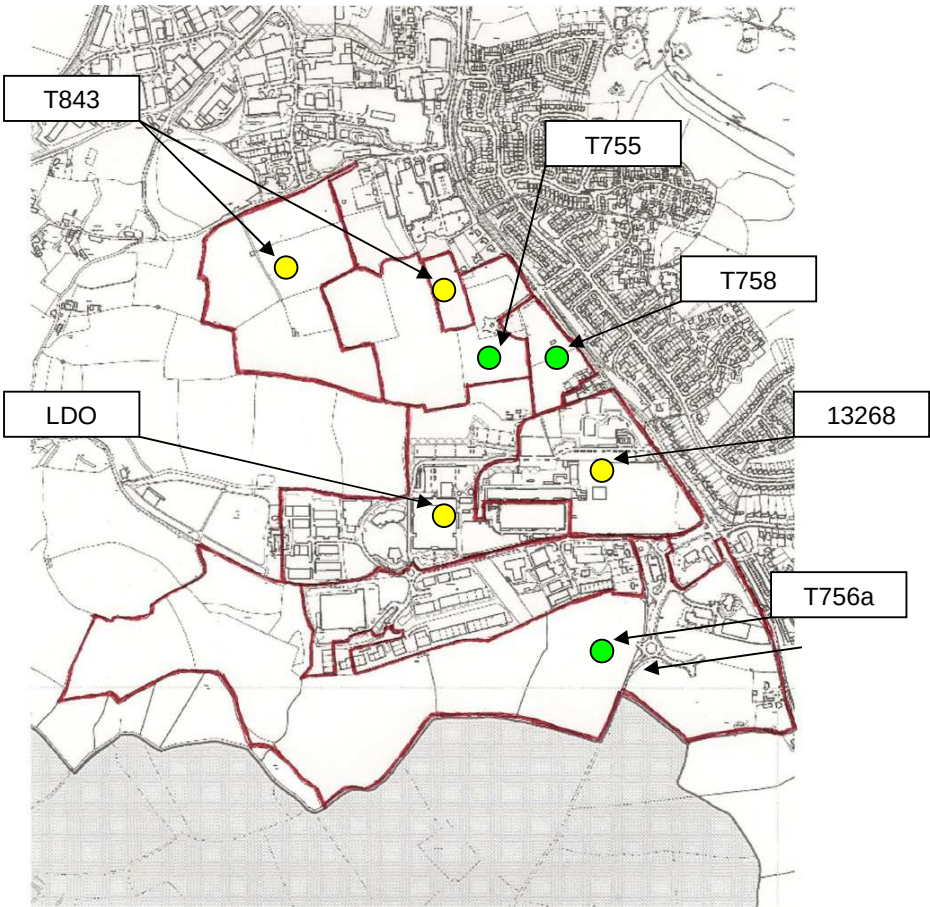
Blatchcombe



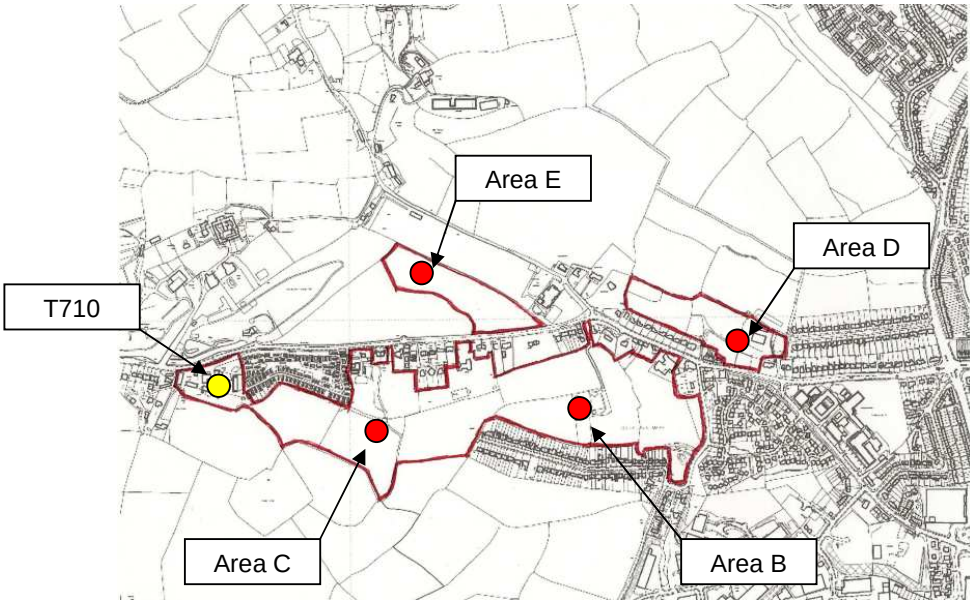
Great Parks Area



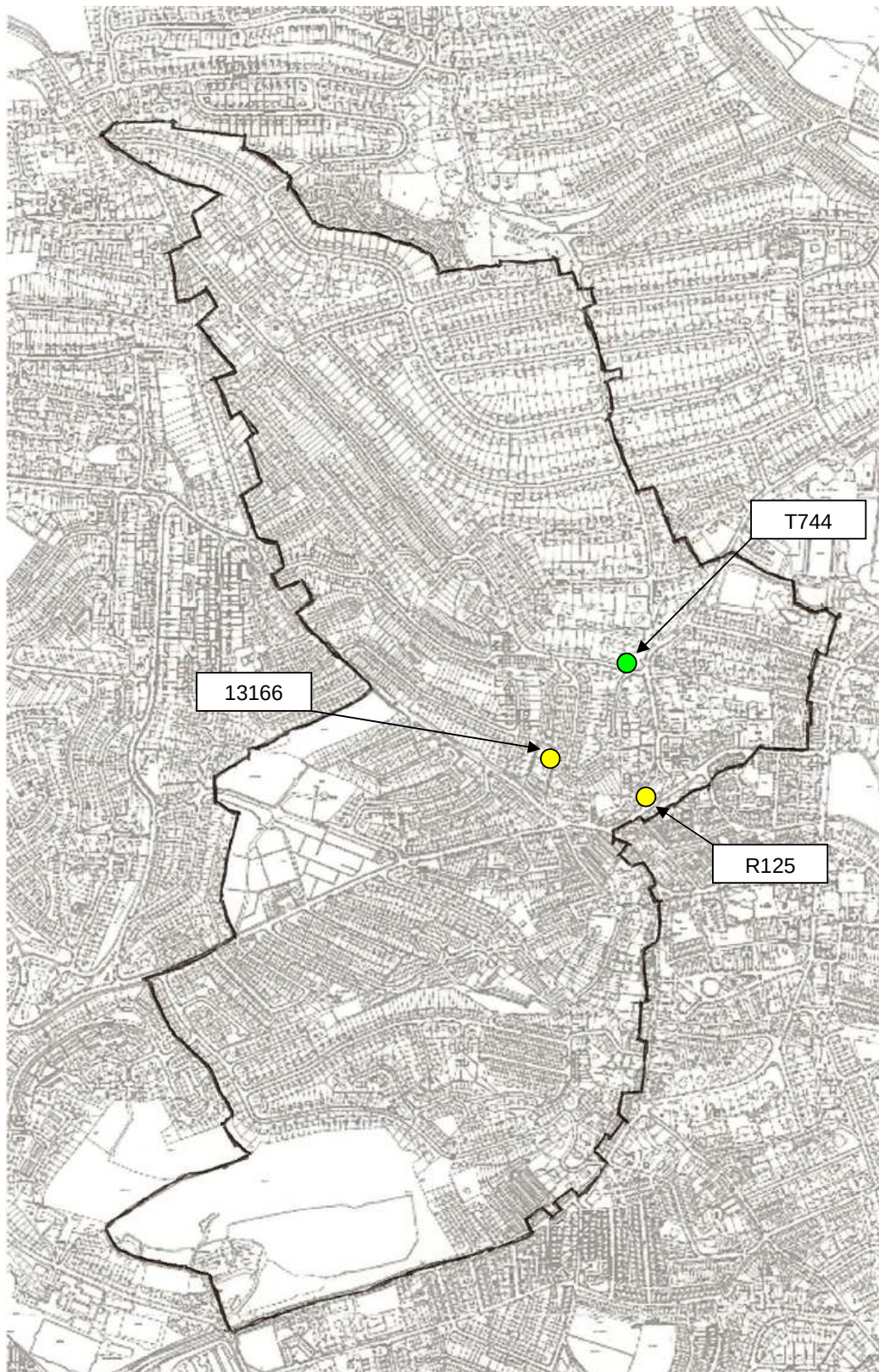
Yalberton to White Rock Area



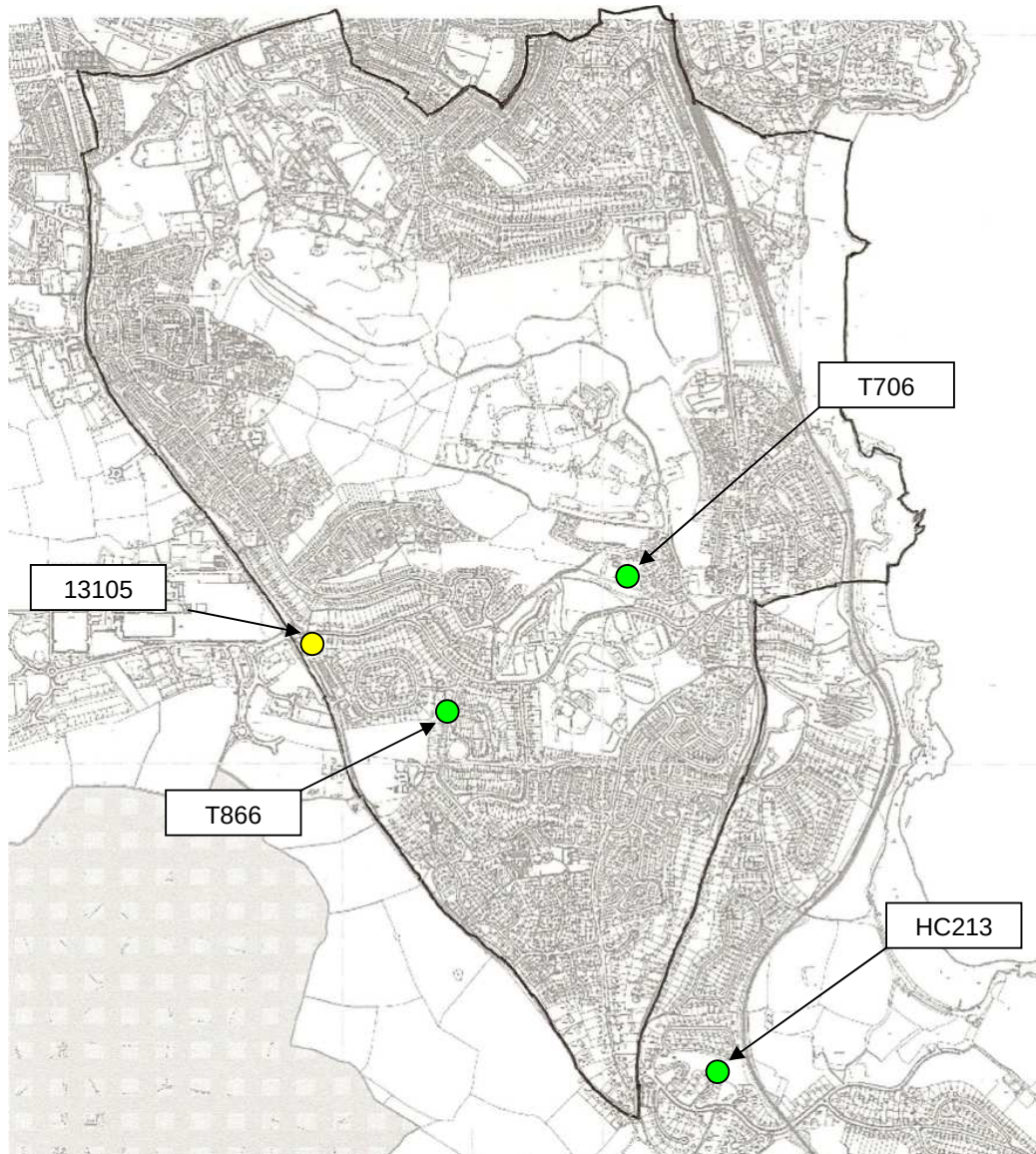
Collaton St Mary Area



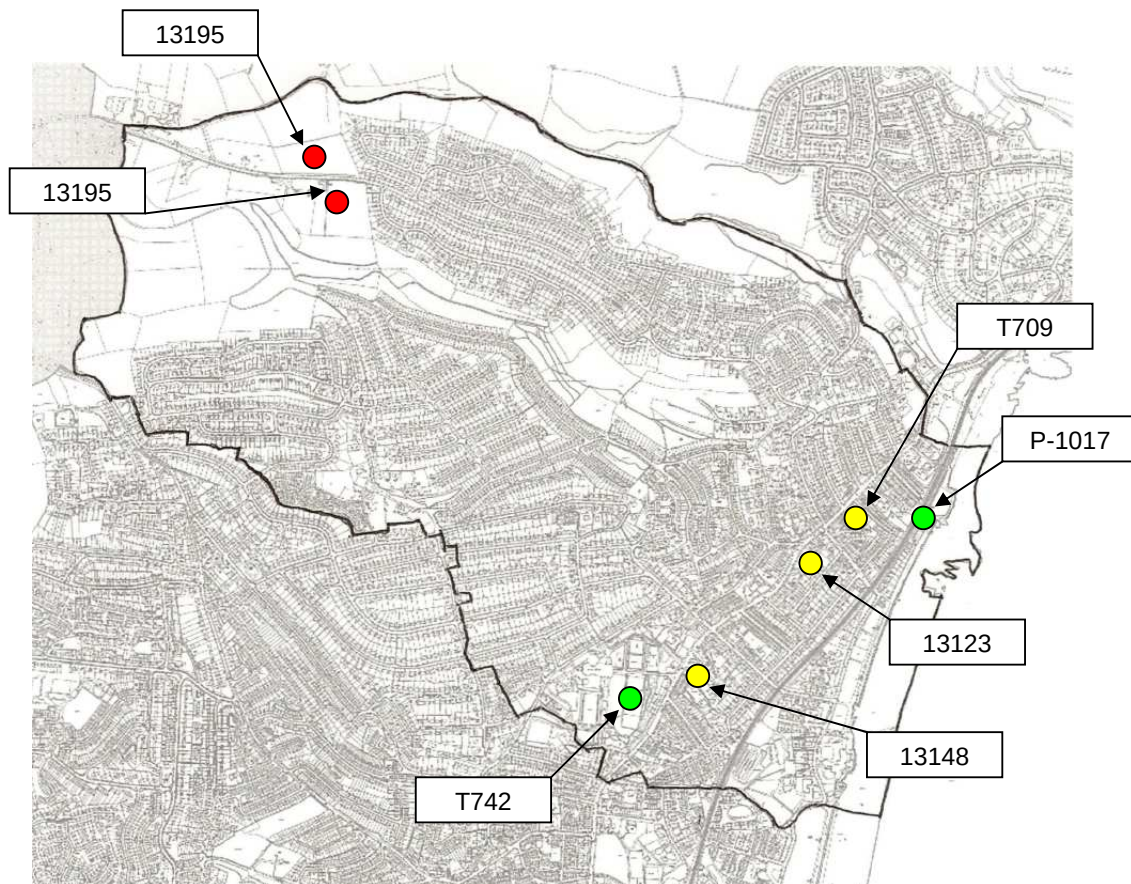
Clifton and Maidenway



Goodrington, Roseland and Hookhills



Preston



Town Centre (Roundham and Hyde)

