

Paignton Neighbourhood Development Plan

THE HISTORIC HEART OF TORBAY

Compliance and Basic Conditions Statement (Skeleton Draft-4) (based on a template produced by 'Locality')

(Pre-Submission consultation version)



(21 January 2016)

For information

[This page will not be included in the submitted version]

Government Planning Practice Guidance (PPG) states:

Paragraph: 066 Reference ID: 41-066-20140306

When should a qualifying body consider the basic conditions that a neighbourhood plan or Order needs to meet ?

Throughout the process of developing a neighbourhood plan or Order a qualifying body should consider how it will demonstrate that its neighbourhood plan or Order will meet the basic conditions that must be met if the plan or order is to be successful at independent examination. The basic conditions statement is likely to be the main way that a qualifying body can seek to demonstrate to the independent examiner that its draft neighbourhood plan or Order meets the basic conditions. A qualifying body is advised to discuss and share early drafts of its basic conditions statement with the local planning authority.

Revision date: 06 03 2014

Paragraph: 067 Reference ID: 41-067-20140306

What should a local planning authority do to assist a qualifying body in considering the basic conditions?

A local planning authority should provide constructive comments on the emerging neighbourhood plan or Order proposal prior to submission and discuss the contents of any supporting documents, including the basic conditions statement. If a local planning authority considers that a draft neighbourhood plan or Order may fall short of meeting one or more of the basic conditions they should discuss their concerns with the qualifying body in order that these can be considered before the draft neighbourhood plan or Order is formally submitted to the local planning authority.

Revision date: 06 03 2014

Paragraph: 068 Reference ID: 41-068-20140306

What must a qualifying body do to demonstrate that its neighbourhood plan or Order meets the basic conditions?

A statement (a basic conditions statement) setting out how a draft neighbourhood plan or Order meets the basic conditions must accompany the draft neighbourhood plan or Order when it is submitted to the local planning authority (see [regulation 15\(1\)\(d\)](#) and [regulation 22\(1\)\(e\)](#) of the Neighbourhood Planning (General) Regulations 2012 (as amended)).

Revision date: 06 03 2014

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Part 1: Introduction

Why this statement has been produced

1.1 This statement has been produced by the Paignton Neighbourhood Forum ("the Forum") in consultation with Torbay Council ("the Council") to accompany the proposed Paignton Neighbourhood Development Plan ("the Neighbourhood Plan") prepared by the Forum and submitted to the Council in accordance with Regulation 15 of the Neighbourhood Planning (General) Regulations of 2012 ("the Regulations").

1.2 The purpose of this statement is to confirm and evidence that the Neighbourhood Plan has been prepared by the Forum in compliance with all formal requirements, as well as the 'basic conditions' defined in the Regulations.

1.3 In accordance with National Planning Practice Guidance ("PPG"), the Forum has considered how the 'basic conditions' requirement will be met throughout the process of developing the Neighbourhood Plan (PPG066) and has discussed and shared early drafts of this statement with the local planning authority (PPG076). In return, the local planning authority has provided constructive comments on the emerging neighbourhood plan and supporting documents in accordance with guidance (PPG067).

Statement Structure

1.4 Part 2 first provides summary background information about Paignton and how the Neighbourhood Plan has been prepared alongside the Local Plan for Torbay produced by Torbay Council, and adjacent Neighbourhood Plans for Torquay and Brixham prepared by each Forum for those areas.

1.5 Part 3 contains the information that demonstrates how each formal requirement has been met, including each of the 'basic conditions'.

What happens next

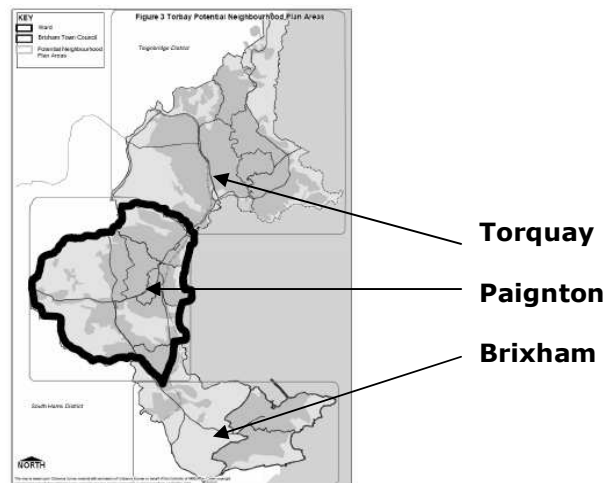
1.6 The next step involves the Council confirming to the Forum that all of the required documents have been received. The submitted Neighbourhood Plan will then be published by the Council for any representations to be made before it is submitted to an Independent Assessor appointed by the Council in agreement with the Forum.

1.7 The Independent Assessor will consider the submitted Neighbourhood Plan and accompanying documents and any representations that may be received. Subject to the outcome of the assessment by the Independent Assessor, a Referendum will be held of all residents who are registered to vote in Paignton. If more than half of those eligible to vote agree, the Neighbourhood Plan will be Adopted formally as part of the Development Plan for Torbay and used by the Council to make decisions on planning applications and similar proposals.

Part 2: Background Information

Location

2.1 Paignton is one of the main seaside holiday resorts of South Devon, and the historic heart of Torbay. Torbay is a Unitary Authority area, with Torquay located to the north of Paignton and Brixham to the south.



2.2 Paignton developed from a small fishing village and still has a working commercial harbour. Settlement in the town dates from late Saxon times with significant medieval buildings still remaining. A grid pattern new town was built in the late Victorian period following arrival of the railway and included areas of reclaimed land. The town grew considerably into the hinterland throughout the twentieth century and now incorporates the village of Collaton St Mary and a substantial area of agricultural land within attractive countryside.

Other factors of note

2.3 Preparation of the Neighbourhood Plan has involved a number of factors of particular note:

- a larger than average Neighbourhood Plan resident population (more than 42,000);
- preparing the plan in tandem with two adjoining neighbourhood plans (for Torquay and Brixham) to achieve complete coverage of the Torbay local authority area;
- each Forum producing its neighbourhood plan via different working arrangements in co-ordination with each other;
- 'twin tracking' preparation of all three neighbourhood plans alongside production of a new local plan for Torbay by Torbay Council;
- working with external assistance provided by the Government Department for Communities and Local Government (DCLG) under the 'Frontrunner' and subsequent programmes;
- involvement with several key planning appeals during the preparation stages.

Part 3: Formal Requirements

Legal Requirements

3.1 In accordance with Regulation 15(1)(a) to (d) and 22(1)(e) of the 2012 Regulations (as amended), the Neighbourhood Plan submission incorporates the following documents:

- a map or statement which identifies the area to which the proposed Neighbourhood Plan relates;
- a "Consultation Statement" that in accordance with Regulation 15(2):
 - contains details of the persons and bodies who were consulted about the proposed neighbourhood development plan;
 - explains how they were consulted;
 - summarises the main issues and concerns raised by the persons consulted; and
 - describes how these issues and concerns have been considered and, where relevant, addressed in the proposed neighbourhood development plan.
- the proposed neighbourhood development plan; and
- this statement (Basic Conditions Statement) that explains how the proposed neighbourhood development plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Act.
- *[Insert here any further documents submitted that may be necessary due to change in legislation or volume of supporting evidence finally involved]*

3.2 Each further legal requirement has been complied with as evidenced below:

(i) The draft Neighbourhood Plan is being submitted by a qualifying body (Ref XX)

3.3 *[Insert here confirmation of the Regulation 5 and 8 applications made on 3 May 2012 and statutory designations confirmed by the Council on 6 December 2012 (Minute 96) that continue in accordance with legislation – see Appendix 1 copy of the designated "Neighbourhood Area" and paragraph 3.1 above.]*

(ii) The Neighbourhood Plan proposal relates to planning matters (Ref XX)

3.4 *[Insert here confirmation that what is being proposed is a Neighbourhood Development Plan (not an Order granting planning permission) and that the plan proposal relates to planning matters (the use and development of land) prepared in accordance with the statutory requirements and processes set out in the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning Regulations 2012.]*

(iii) The proposed Neighbourhood Plan states the period for which it is to have effect (Ref XX)

3.5 *[Insert here a simple confirmation that the plan specifies the time period for which it will be in force.]*

(iv) The policies do not relate to excluded development (Ref XX)

3.6 *[Insert here confirmation that the neighbourhood plan proposal does not deal with county matters (mineral extraction and waste development), nationally significant infrastructure or any other matters set out in Section 61K of the Town and Country Planning Act 1990.]*

(v) The proposed Neighbourhood Plan does not relate to more than one neighbourhood area and there are no other neighbourhood development plans in place within the neighbourhood area (Ref XX)

3.7 *[Insert here confirmation that the neighbourhood plan proposal relates only to the designated Paignton Neighbourhood Area and to no other area, and that there are no other neighbourhood plans relating to the neighbourhood area.]*

Basic Conditions

3.8 In accordance with paragraph 8 of Schedule 4B of the 1990 Act, the submitted Neighbourhood Plan meets each of the “basic conditions” defined in paragraph 8(2)(a) to (g), as evidenced below:

(a) Has regard to national policies and advice contained in guidance issued by the Secretary of State (Paragraph 8(2)(a);

3.9 *[Insert here demonstration that the neighbourhood plan has had regard to the National Planning Policy Framework (or any policy document that replaces or accompanies the NPPF prior to the submission) by describing how the neighbourhood plan addresses the 12 core planning principles contained in paragraph 17 of the NPPF.]*

(b) Has special regard to the desirability of preserving any Listed buildings or its setting or any features of special architectural or historic interest that it possesses (Paragraph 8(2)(b);

3.10 *[Insert here confirmation that although this requirement only relates to an Order granting planning permission, the Neighbourhood Plan has nevertheless taken particular account of listed buildings within the Neighbourhood Area. Attach a schedule of Listed buildings as Appendix 2]*

(c) Has special regard to the desirability of preserving or enhancing the character or appearance of any conservation area (Paragraph 8(2)(c);

3.11 *[Insert here confirmation that although this requirement only relates to an Order granting planning permission, the Neighbourhood Plan has nevertheless taken particular account of conservation areas within the Neighbourhood Area. Attach a schedule of the designated Conservation Areas as Appendix 3.]*

(d) Contributes to the achievement of sustainable development (Paragraph 8(2)(d);

3.12 *[Insert here reference to the NPPF statement of the general presumption in favour of sustainable development and that, according to the NPPF, sustainable*

means ensuring that better lives for ourselves does not mean worse lives for future generations and development means growth, and how sustainable development is about positive growth – making economic, environmental and social progress for this and future generations. Cross reference with (a) above and include a bullet point list of the policies and proposals in the neighbourhood plan that contribute to achieving sustainable development.]

(e) Is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area)(Paragraph 8(2)(e);

3.13 The statutory development plan applying to the designated Paignton Neighbourhood Area is the Torbay Local Plan ('the Local Plan') subtitled "A landscape for success".

3.14 The Local Plan was submitted to the Secretary of State in July 2014. The Examination Hearing commenced in November 2014. Modifications were published in February 2015 and Replacement Modifications in June 2015. The Inspector's final Report was published on 12 October 2015 following an extended period of Examination. The Plan was adopted by the Council as the local planning authority on 10 December 2015.

3.15 Full account has also been taken of the following Supplementary Planning Documents (SPD) produced by the Council as non statutory development plans to help inform preparation of the Neighbourhood Plan:

- Great Parks Masterplan (adopted as SPD on XXX)
- Paignton Town Centre Masterplan (adopted as SPD on 1 June 2015)
- Collaton St Mary Draft Masterplan (public consultation October 2014)

3.16 In addition account has been taken of the following retained SPD's that relate to Torbay overall:

- Sections 13-15 (The Historic Environment) and Sections 16-19 (The Natural Environment) of the 2004 Adopted Torbay Local Plan Environmental Guide.
- Greenspace Strategy SPD (2006)
- Urban Design Guide SPD (2007)
- Planning Contributions and Affordable Housing SPD (2008)

Assessment method applied

3.17 To ensure the Neighbourhood Plan is in general conformity with the strategic policies of the development plan, the assessment made has followed Government advice contained in Planning Practice Guidance (PPG) at paragraphs PPG-074 to PPG-077 as indicated below:

i) Meaning of 'general conformity'

3.18 In accordance with PPG-074 the assessment made has considered the following:

- whether the neighbourhood plan policy or development proposal supports and upholds the general policy that the strategic policy is concerned with;

- the degree, if any, of conflict between the draft neighbourhood plan policy or development proposal and the strategic policy;
- whether the draft neighbourhood plan policy or development proposal provide an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy;
- the rationale for the approach taken in the draft neighbourhood plan and the evidence to justify that approach.

ii) Identifying the strategic policies

3.19 In accordance with PPG-075 the strategic policies have been addressed no matter where they appear in the development plan, and the assessment has not presumed that every policy in the Local Plan is strategic or that the only policies that are strategic are labeled as such. The strategic policies examined have been those that relate to the following as required by NPPF156:

- Homes and jobs needed in the area
- Provision of retail, leisure and other commercial development
- Provision of infrastructure for transport, telecommunications, waste management, water supply waste water, flood risk and coastal change management, and the provision of minerals and energy (including heat);
- Provision of health, security, community and cultural infrastructure and other local facilities; and
- Climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape.

3.12 As advised by PPG-076 the assessment has recognised that strategic policies will be different in each local planning authority area, and when reaching a view on whether a policy is a strategic policy, the following considerations have been applied:

- whether the policy sets out an overarching direction or objective;
- whether the policy seeks to shape the broad characteristics of development;
- the scale at which the policy is intended to operate;
- whether the policy sets a framework for decisions on how competing priorities should be balanced;
- whether the policy sets a standard or other requirement that is essential to achieving the wider vision and aspirations of the Local Plan;
- in the case of site allocations, whether bringing the site forward is central to achieving the vision and aspirations of the Local Plan;
- whether the Local Plan identifies the policy as being strategic.

iii) Compliance confirmation

3.21 Having regard to the advice contained in PPG-067 and PPG-077, **the Local Planning Authority has confirmed** to the Neighbourhood Forum that:

- the assessment made has identified appropriately the strategic policies of the development plan;
- the proposed Neighbourhood Plan is in general conformity;

- the requirement of NPPF182 has been met as the Neighbourhood Plan does not propose less development nor undermines the strategy.

3.22 Further details of the assessment made are contained in Appendix 4

[insert Appendix 4]

(f) Does not breach, and is otherwise compatible with, EU Obligations
(Paragraph 8(2)(f);

3.23 *[Insert here confirmation that the neighbourhood plan is compatible with EU obligations around human rights, habitat protection and environmental impacts. Depending on the Torbay Local Plan outcome, this could include reference to an equalities impact assessment, SEA (Strategic Environmental Assessment) screening and reference to the relevance, or not, of Habitat Regulations Assessment.]*

(g) Complies with such matters as are prescribed in regulations
(Paragraph 8(2)(g).

3.24 *[Insert here reference to any further matter that it may transpire is a formal requirement of Regulations the examiner may need to consider – currently there are none.]*

End

Appendices

Appendix 1 - Map of the designated Paignton Neighbourhood Area

[Designated by the meeting of Torbay Council on 6 December 2012 - Minute 96]



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 Modifications included requiring the Council to correct ‘confusing arithmetic’ referred to later below. The finalised development plan is not expected to be available until **March** 2016. This Appendix has therefore been produced in close consultation with the Council.
- A4.6 When the final development plan has been published, where there is any risk of conflict with the strategic policies, the nature and relevance will be stated in accordance with Government advice in PPG-074 as referred to in paragraph 3.18 of this Statement.

Identifying the strategic policies

- A4.7 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
- A4.8 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.
- A4.9 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.
- A4.10 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.

A4.11 Also included in Table 4.1 are the policies in Part 6 of the Local Plan. All were found to have a strategic element, therefore have all been taken into account to ensure a comprehensive assessment.

A4.12 Further Council advice on 21 January 2016 (by email) indicated that the following policies of Part 6 were likely to be strategic in whole or part: TC1 (part), TC2 (part), C1, C2 (part), NC1, H2 (part), ER1, ER2, W1, W5, M1. The Forum accepted this advice as shown in Table 4 below.

Table 4.1 Assessed strategic policies of the development plan

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	✓	✓		✓			

A4.13 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

A4.14 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”.

A4.15 As the strategy has recently been approved by an Inspector, it complies with Government policy of meeting Torbay’s objectively assessed need and all other NPPF requirements.

A4.16 The strategy approved applies to 2029/30 and features two key aspects:

- i) 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;
- ii) 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.

A4.17 If net job growth exceeds expectation, the plan enables an increase in pace of housing provision within Torbay's remaining environmental capacity. Conversely, if net job growth is less successful, the plan enables revision of housing growth downwards to ensure sustainable balance is maintained (Local Plan paragraphs 1.1.15 and 7.5.17).

A4.18 The first five year major review (in 2020/21) will be against a range of matters and information identified at paragraph 7.5.17 of the Local Plan, i.e. demographic trends, economic performance, market and social signals, land availability, monitoring data, infrastructure, landscape and biodiversity.

A4.19 However, the review context will remain as set by the strategic policies approved to ensure that sustainable balance is maintained between achieving net growth in job numbers, provision of additional homes, and environmental capacity.

A4.20 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.

A4.21 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

A4.22 The Neighbourhood Plan conforms to the approved trajectories of the Local Plan. To the first Major Review in 2020/21 (see A4.16(ii) 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		
	6	2017/18		
Major Review	7	2018/19		495 per year
	8	2019/20		
	9	2020/21		
	10	2021/22		
	11	2022/23		
	12	2023/24		
Major Review	13	2024/25		555 per year
	14	2025/26		
	15	2026/27		
	16	2027/28		

Plan End	17	2028/29		
	18	2029/30		
	Net growth		5,000-5,500	8,915

Rounded to nearest 5

A4.23 **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)

A4.24 **For housing growth** the Neighbourhood Plan has adopted the trajectory of the approved Local Plan (at paragraph 4.5.48 [and Table 7.1](#)), as shown in Table 4.3 below, which the Council confirmed on 21 January 2016 (by email) is in conformity:

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	1,100	1,230	740	3,960
Paignton	960	1,190	1,330	800	4,280
Brixham	150	180	210	120	660
Torbay	2,000	2,470	2,770	1,660	8,900

Rounded to nearest 5

A4.25 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.

A4.26 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	960	1,190	1,330	800	4,280
Less Windfall	260	260	260	155	935
Specific sites	700	930	1,070	645	3,345

Rounded to nearest 5

A4.27 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 729 identified sites for Paignton, thus requiring only a further 481 for the addition of years 9 and 10 to make provision for years 4-10, and 2,925 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 (700 x 2/5)	280	For year 4-8 (PH21)	729
For years 6-10	930	For years 9+10	481
For years 4-10	1,210	For year 4-10	1,210
For years 11-15	1,070	For years 11-15	1,070
For years 16-18	645	For years 16-18	645
For years 4-18	2,925	For years 4-18	2,925

Plus windfall

A4.28 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.

A4.29 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 (58) 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.

A4.30 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	729	481	1,070	645	2,925
NP Provision made	787	489	1,131	688	3,095

A4.31 Thus in conformity with the Local Plan, the Neighbourhood Plan includes sites for all periods that meet the trajectory required.

A4.32 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 to the first Major Review in 2020/21 relies on the inclusion of sites identified in the Local Plan that have various constraints or unresolved issues.
- none of the provision relies on sites with Habitat Regulation Assessment (HRA) implications.

A4.33 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.

A4.34 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).

A4.35 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

A4.36 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

A4.37 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.

A4.38 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]

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 & Seafront	HC233	Courtland Rd	38				38	
	13240	Crossways			150		150	
SDP2	13242	Hyde Rd / Torbay Rd			50		50	
	13250	Queens Park				50	50	
		SHLAA Deliverable Urban					0	
	New	<i>2 Courtland Rd</i>	15				15	
	13034	<i>10 Palace Avenue</i>		9			9	
	13094	<i>Montana, 10 Belle Vue Rd</i>		6			6	
	13162	<i>4 Palace Ave</i>		6			6	
	13051	<i>Silverlawns, 31 Totnes Rd</i>		21			21	
	13069	<i>Lyndhurst, Lower Polsham Rd</i>		12			12	
	T718	<i>Angleside House</i>		24			24	
	T797	<i>20 Roundham Rd</i>		10			10	
		SHLAA Constrained Urban					0	
	13066	<i>Lighthouse, Esplanade Rd</i>				20	20	
	T787	<i>Victoria Park MSCP</i>				60	60	
	H1.014	<i>Station Lane</i>			30		30	
	T857	<i>Paignton Harbour</i>				40	40	
		Non Identified 6+					0	
	13036	<i>Seaford Sands Hotel</i>	14				14	
	13043	<i>Seaford Hotel, Stafford Rd</i>	9				9	
North & West	SDP3.1	Preston Down Rd					0	
SDP3	13195	<i>Land Preston Down Rd North</i>				50	50	
	13196	<i>Land Preston Down Rd South</i>				50	50	
	SDP3.2	Great Parks					0	
	H1.11	<i>Masterplan</i>	60	60	65		185	
	H1.12	<i>Masterplan</i>		20	100		120	
	H1.13	<i>P/2014/0938</i>			68		68	
	13004	<i>Alfriston Rd (P/2012/1074)</i>	60	24			84	
	13028	<i>Luscombe Rd (P/2004/1989)</i>			47		47	
	SDP3.3	Totnes Rd					0	
	T710	<i>Motel / Area A</i>		42			42	
	Draft MP	<i>Area B</i>				130	130	
	Draft MP	<i>Area C (excl. Motel /Area A)</i>				178	178	
	Draft MP	<i>Area D</i>				70	70	
	Draft MP	<i>Area E</i>				40	40	
	SDP3.4	Yannons / H. Gruit / Devon. Pk					0	
	T755	<i>Yannons Farm</i>	194				194	
	T758	<i>Park Bay / Holy Gruit</i>	37				37	
	T843	<i>Yalberton (P/2014/0983)</i>		65	127		192	
	13263	<i>Devonshire Park (P/2014/0947)</i>		70	185		255	
	SDP3.5	White Rock						
	T756a	<i>P/2011/0197 onward</i>	175	70	100		345	
	LDO	<i>Student Accommodation^^</i>		50	70		120	
		Non Identified 6+					0	
	13021	<i>Kings Ash House</i>	14				14	

Elsewhere in SPD1	SHLAA sites elsewhere SDP1					0
	T706 <i>Marine Pk Goodrington</i>	39				39
	T742 <i>Oldway, inc Fernham</i>	46				46
	T744 <i>Divisional Police HQ</i>	14				14
	T866 <i>R/O Gibson Rd</i>	6				6
	P/2014/1017 <i>Roseville, Marine Gardens</i>	8				8
	13052 <i>Totnes Road Service Station</i>			14		14
	R125 <i>Parkhill House, 1 Southfield Rd</i>			15		15
	13105 <i>Alan Kerr Garage, Brixham Rd</i>			10		10
	13123 <i>Land at 4-6 Eugene Rd</i>			6		6
	13148 <i>63 Manor Rd</i>			8		8
	13166 <i>R/O Quarry Terrace, Marldon Rd</i>			8		8
	13189 <i>Modern Motoring, Torquay Rd</i>			6		6
	T705 <i>Land at Intek House</i>			12		12
	T709 <i>Vauxhall Garage, Torquay Rd</i>			20		20
	T826 <i>50% of Depot, Borough Rd</i>			40		40
	Excess windfalls (5 or less)***	58				58
Paignton SDP1 – NP Total		787	489	1,131	688	3,095

Excluding approved windfalls of 52 per year

1,276

Adopted LP 2015 Requirement

729 401 1,125 675 2,930

1,130

Broad Location

Developable

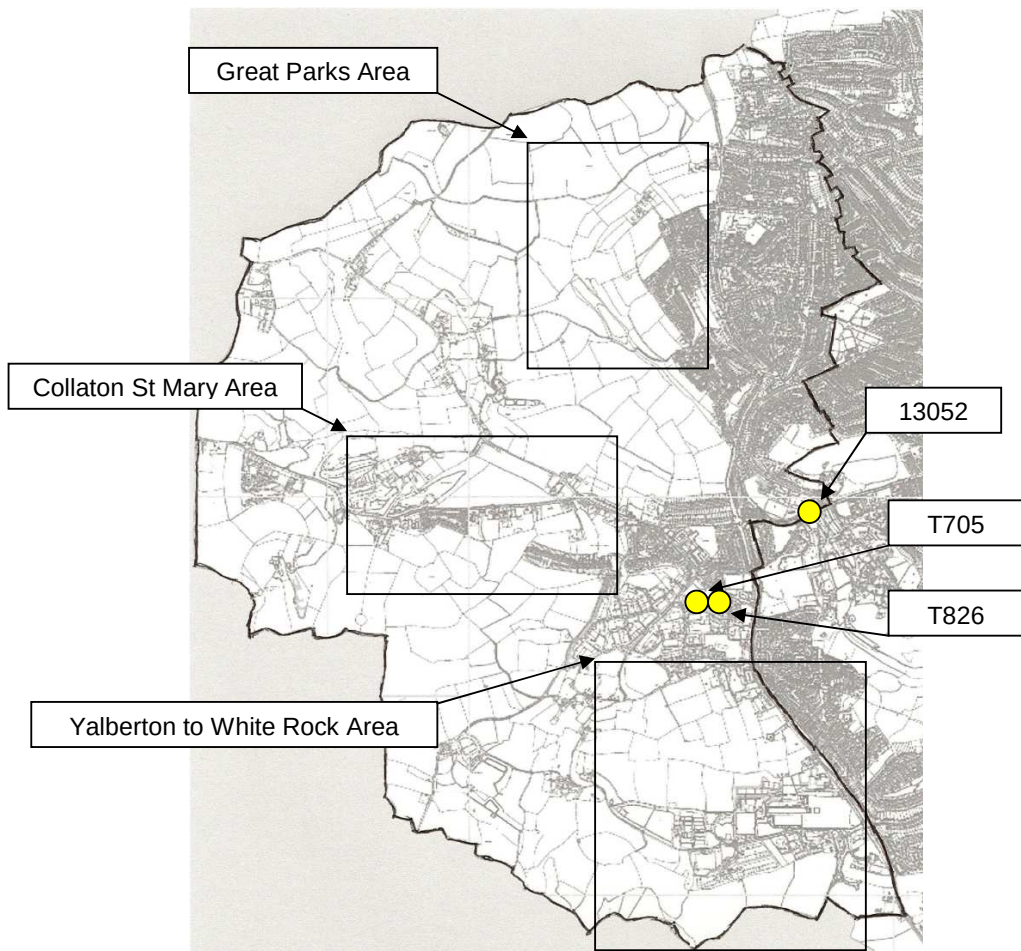
Deliverable

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

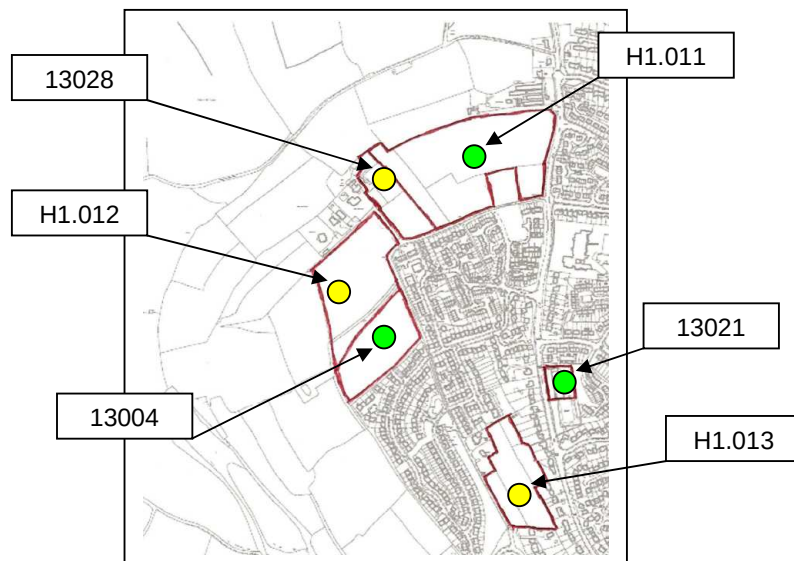
** Subject to 5 yr Review in 2020/21 and 2025/26 of progress of net job growth and housing need assumed in LP

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

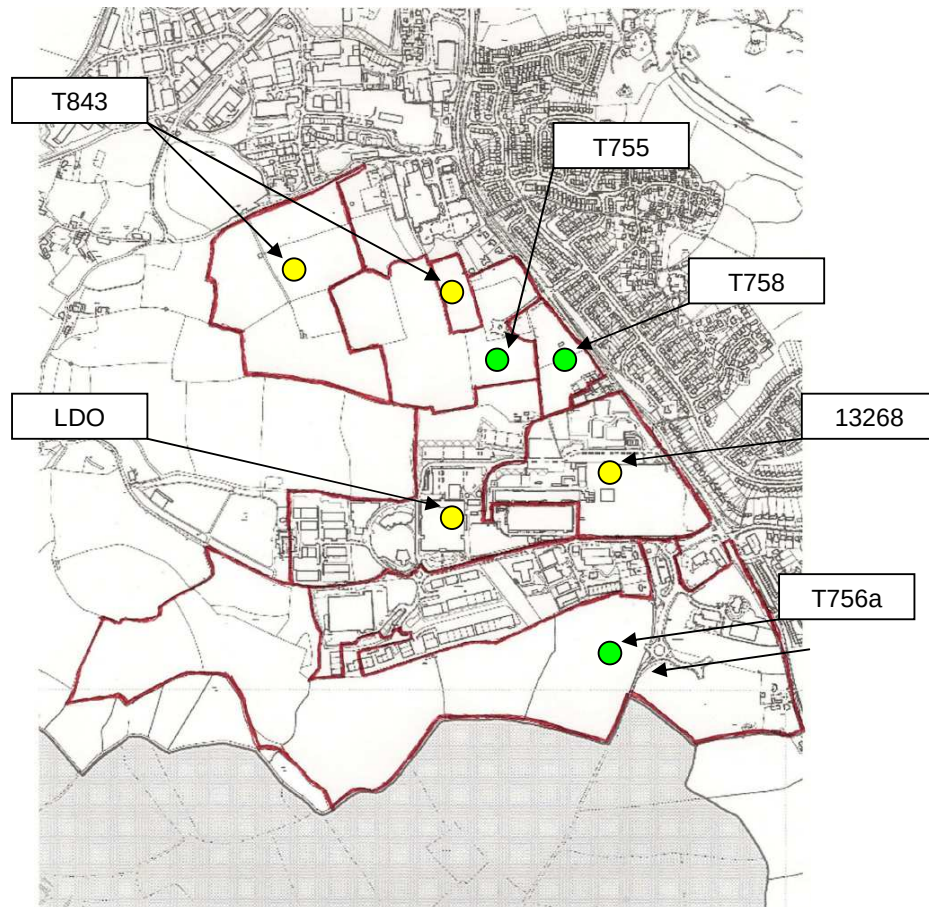
Blatchcombe



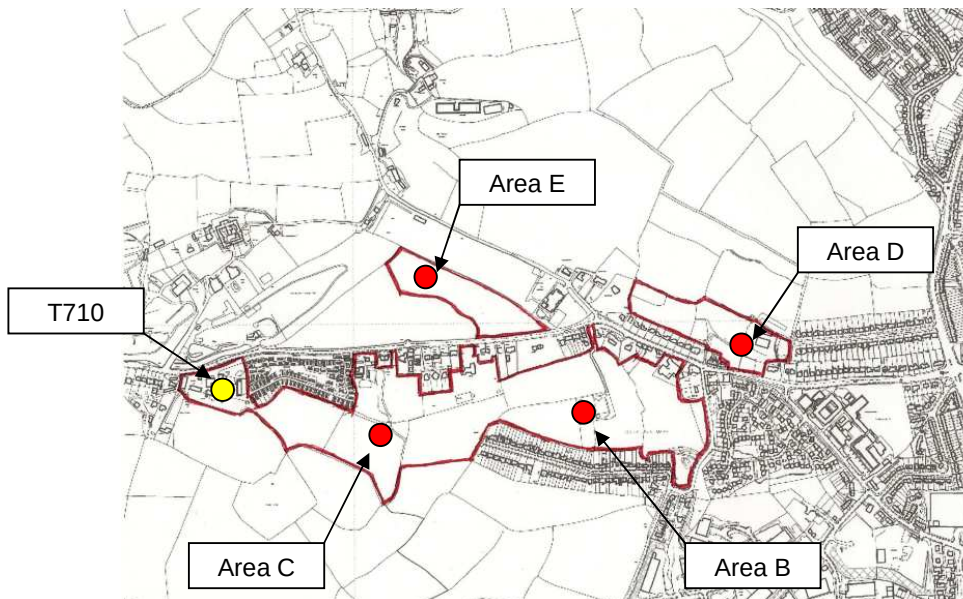
Great Parks Area



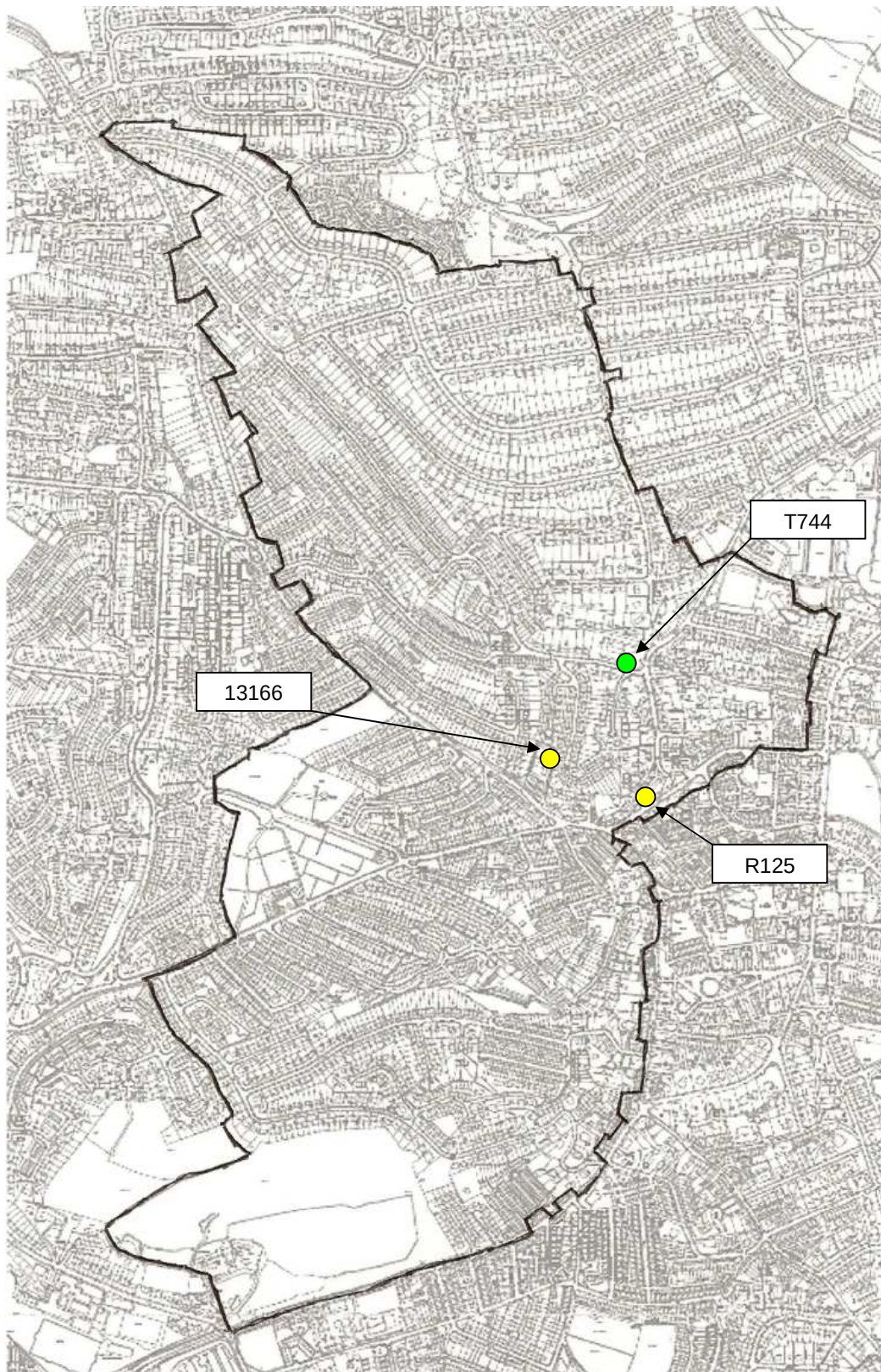
Yalberton to White Rock Area



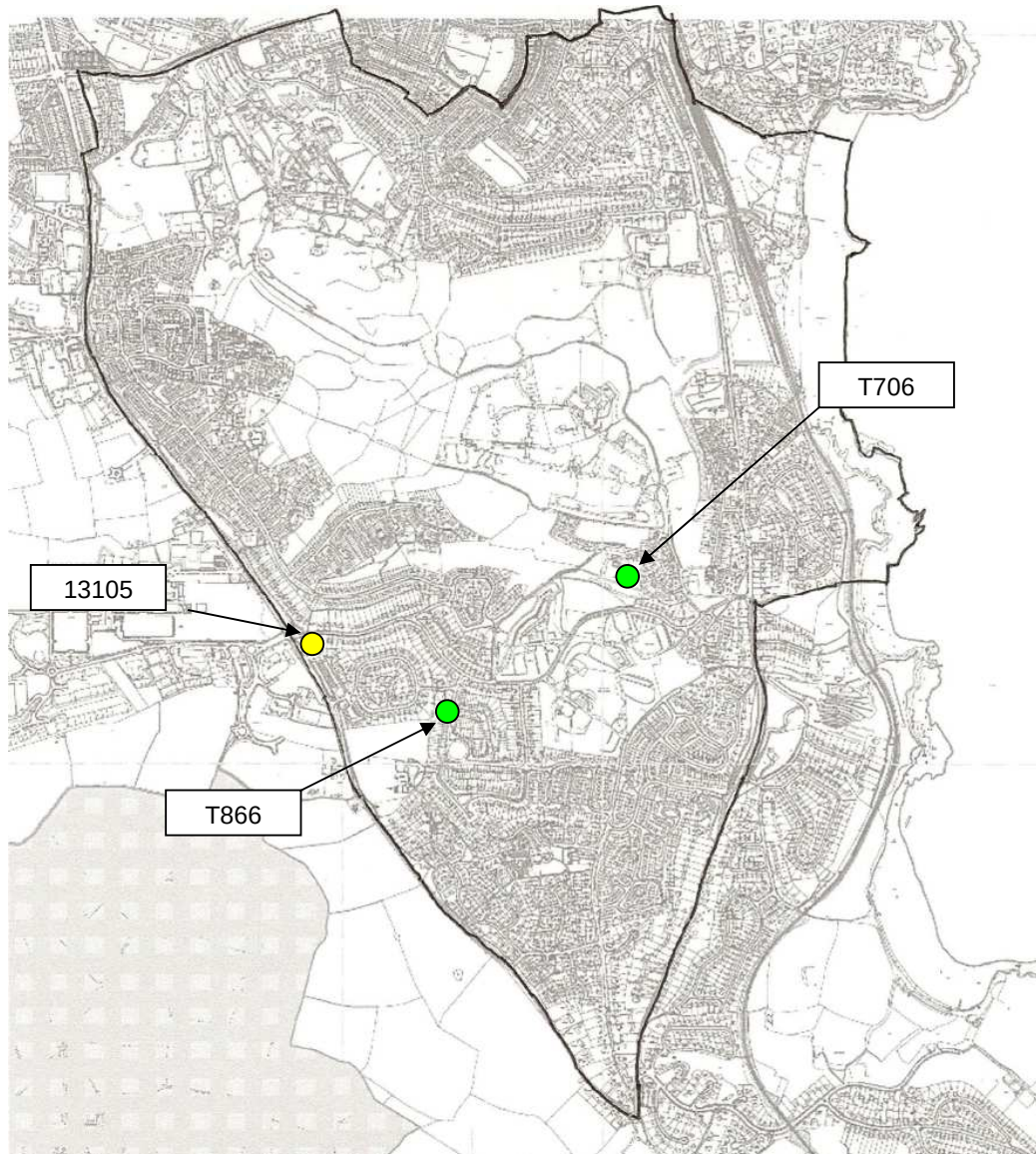
Collaton St Mary Area



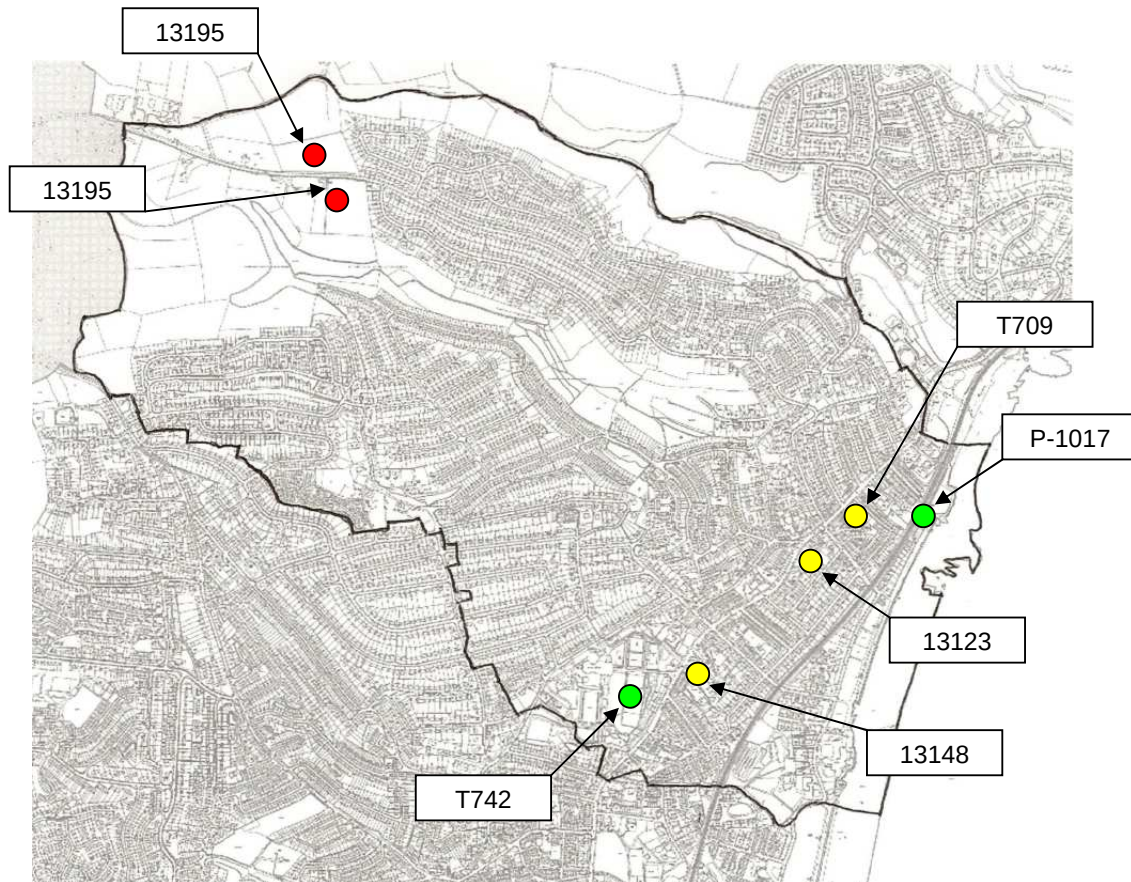
Clifton and Maidenway



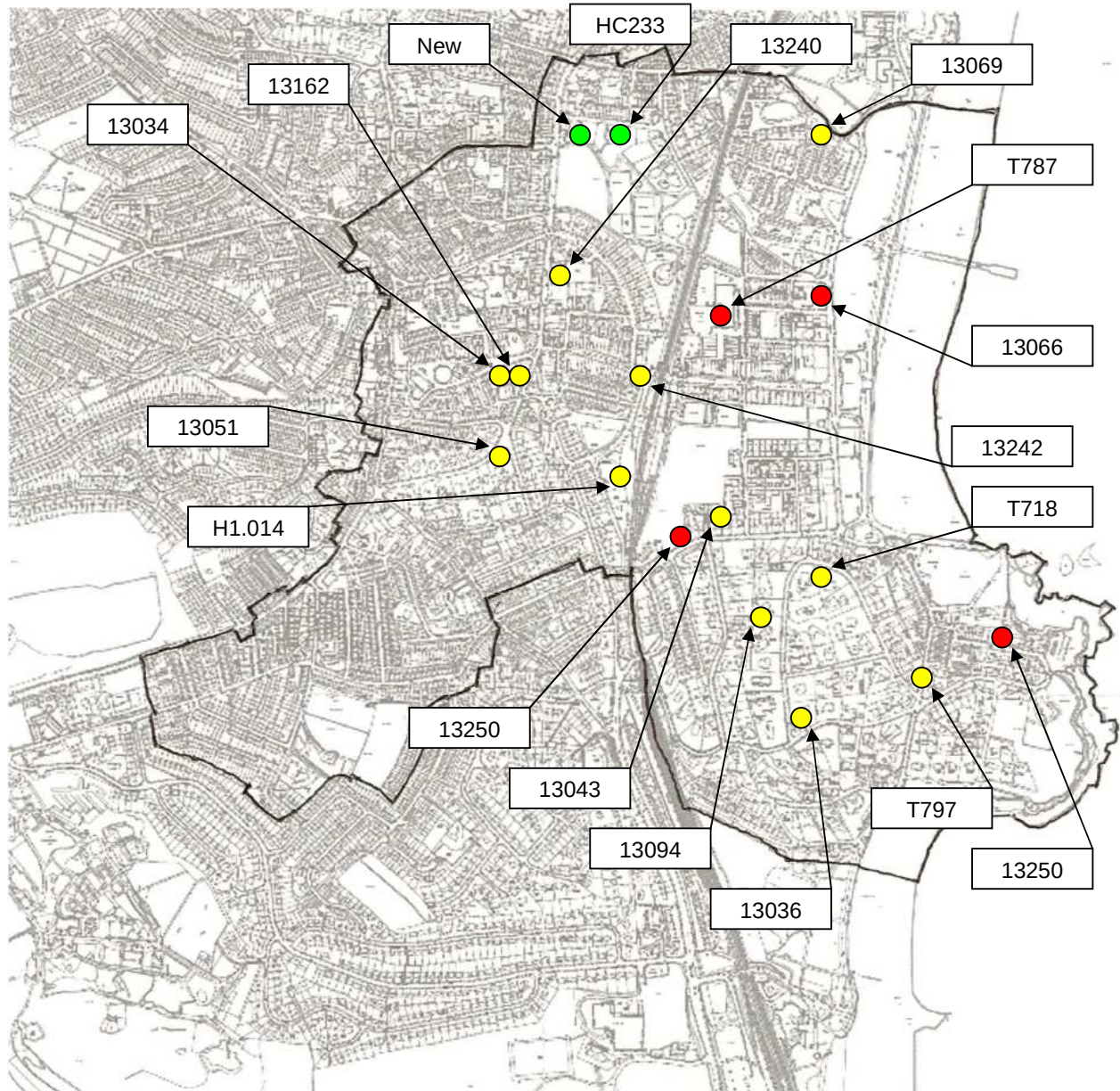
Goodrington, Roseland and Hookhills



Preston



Town Centre (Roundham and Hyde)



End of Appendix 4