

## Future Planning

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**From:** Bulleid, Alex  
**Sent:** 29 January 2026 08:50  
**To:** Future Planning  
**Subject:** RE: Local Plan consultation  
**Attachments:** Environmental Protection response.docx

**Follow Up Flag:** Follow up  
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Hello

I have attached comments from the Environmental Protection team in Community & Customer Services.

Thank you,

**Alex Bulleid**  
**Senior Environmental Health Officer**  
Community Services  
Town Hall, Castle Circus, Torquay TQ1 3DR

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**From:** Future Planning [redacted]  
**Sent:** 21 January 2026 10:57  
**To:** Bulleid, Alex [redacted]  
**Subject:** RE: Local Plan consultation

Morning Alex,

There is a pdf version available online via <https://www.torbay.gov.uk/media/2dgles4b/draft-torbay-local-plan-2025-45.pdf>. Just to let you know, we have extended the consultation deadline to 23:59 on Monday 2<sup>nd</sup> February 2026.

Hope that helps.

If you have any other queries, please let us know.

Many Thanks  
Zdzisia

**Strategy and Project Delivery Team | Spatial Planning**

Tor Hill House (2<sup>nd</sup> Floor), Union Street, Torquay TQ2 5QW

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**From:** Planning [REDACTED]  
**Sent:** 20 January 2026 17:21  
**To:** Future Planning [REDACTED]  
**Subject:** FW: Local Plan consultation

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**From:** Bulleid, Alex [REDACTED]  
**Sent:** 20 January 2026 16:07  
**To:** Planning [REDACTED]  
**Subject:** Local Plan consultation

Hello

This is possibly a cheeky request, but might you be able to share a word or pdf version of the draft local plan with me so that I can read it more easily than on the website? I promise that I won't share it outside the rest of Environmental Protection!

Thank you,

**Alex Bulleid**  
**Senior Environmental Health Officer**  
Community Services  
Town Hall, Castle Circus, Torquay TQ1 3DR

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[REDACTED]

## **Draft Local Plan Consultation**

### **Comments from Environmental Protection**

#### **Burial Land**

We strongly welcome the intention to deliver land for burial sites given the limited current provision.

The mechanism by which this will be delivered needs to be as robust as possible please, to give confidence that suitable land will be allocated and not used for other purposes; and to ensure a timely completion of these much-needed facilities.

#### **Air Quality and Transport Emissions**

The commitments in the draft plan to active and sustainable transport as well as reducing demand for private car use are extremely welcome. These will tend to reduce vehicle emissions even if air quality is not explicitly included as a reason for this policy.

The results of our ongoing air quality monitoring is published in the Annual Status Report, which is available here [Air quality - Torbay Council](#). The data shows that although all locations in the Bay currently meet the legal standards for local air quality, this is only by a small margin at Kings Ash Road. There is almost no capacity for transport emissions on this road to increase without levels breaching the legal limit. This would result in the Council having to declare an Air Quality Management Area and produce an Air Quality Action Plan.

We believe that an acknowledgement of this situation should be included in the Local Plan because it has the potential to impact not only on the health of those living along this route but also on the reputation of the Council and the deliverability of significant areas of housing.

#### **Brownfield Sites and Land Contamination**

As acknowledged in the draft plan, the focus on brownfield regeneration will mean that land contamination investigations and risk assessments will need to be undertaken at an early stage, so that the impact of any contamination on the viability and deliverability of the scheme is understood.

However I would suggest that the wording of Policy ER5 could be improved in places as follows:

I would remove the references to precautionary measures. This is not a term used in land contamination guidance and could cause confusion. (Land contamination risk assessment processes as described in the EA guidance are inherently precautionary, so mention of further caution is unnecessary).

Bullet point 2 refers to the need to avoid risk to health which suggests that developments will be zero risk. This is potentially unachievable, or uneconomic and would rarely be 'sustainable development'. I would recommend using wording from NPPF or the Planning Practice Guidance here instead to describe what level of risk will be considered acceptable. For example you could say that sites must be suitable for their intended use and as a minimum not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990.

Paragraph 8.92 contains more detail on some specific elements of the risk assessment process than is required. This ignores many of the complexities involved and is arguably unnecessary given the amount of authoritative guidance available. I would recommend simplifying this paragraph to just state that the land contamination reports submitted to the Council will be expected to follow current, UK-specific guidance such as the Land Contamination Risk Management guidance from the Environment Agency. [Land contamination risk management \(LCRM\) - GOV.UK](#)

This paragraph also suggests that land contamination reports will be required for all major applications. I would suggest that this is amended both in the policy and the explanation to reflect question 14 of the full planning application form. This says that an appropriate risk assessment is required where either:

- The land is known to be contaminated, or
- Contamination is suspected for all or part of the site, or
- The development is for a proposed use that would be particularly vulnerable to the presence of contamination.

### Noise, Pollution and Impacts on Amenity

Chris - I am happy with what the draft says on these. Have I missed anything??

### Construction Phase Impacts

I'm sorry if I have missed it, but I could see no reference to impacts on neighbourhood amenity during the construction phase of any development. These can be significant, particularly as a result of noise, vibration and dust. Would it be possible to include a brief paragraph somewhere appropriate to explain that conditions will be used to manage these impacts so far as is practicable?

### Heat Pumps and Microgeneration

There can often be trade-offs between the benefits of these technologies and their impacts on noise pollution, amenity and neighbours. Would it be sensible to include text on how these trade-offs will be navigated? (or would these be covered by Policy CER4?)

### Brokenbury Treatment Waste Water Treatment Works

Policy W5 requires that new development must not compromise the operational efficiency and environmental impact of the works. Does this include preventing development very close to the site? Or would other policies implementing the 'agent of change' principle be sufficient to prevent development in areas that may impact on the ability of the works to operate?

### Minerals

Policy M1 bullet 9 seems contradictory. It requires that unavoidable noise, dust and particle emissions should be controlled, mitigated or removed at source. If they can be controlled or removed at source, they are presumably avoidable (and should be avoided!). Could this section be re-worded to be a little clearer?