

Spatial Planning Team
Torbay Council
Castle Circus
Torquay
Devon
TQ1 3DR

Our ref: PL00800651

Your ref: N/A

Telephone: 0117 975 1308

Date: 18 September 2026

Dear Spatial Planning Team,

Torbay Local Plan – Regulation 19 Pre-submission Consultation

Thank you for consulting Historic England on the pre-submission (Regulation 19) Torbay Local Plan. As the Government's adviser for the historic environment, we are keen to ensure that the conservation and enhancement of heritage assets is taken into account in the preparation of this important plan.

As the Torbay Local Plan will be a statutory planning document, we have considered it within the context of the National Planning Policy Framework (2024) (NPPF) and its core planning principle that to achieve sustainable development heritage assets should be conserved in a manner appropriate to their significance, as part of the Plan's positive conservation strategy for the historic environment.

Evidence base

We acknowledge the challenges in terms of plan-making facing Torbay, particularly in relation to delivering an increase in housing numbers in the context of a plan area with relatively limited land supply and environmental constraints. We maintain our opinion, that in order to make the best and most effective use of the land available in the plan area, there are significant advantages to be achieved by further deepening and applying the available evidence base. As paragraph 130 of the NPPF indicates, character assessments, design guides and codes and masterplans can be used to help ensure land is used efficiently; however, unfortunately, much of this is absent from your published evidence base.

Conservation area appraisals are another element of the evidence base that are important given both the extent of the plan area that is covered by such designation, and the likely development within them that the plan envisages. This includes the emphasis on the 'hotels to homes' programme referenced at various points. However, we would point out that a number of

conservation area appraisals for the plan area are now some years old. We welcome the new appraisals for Torquay Harbour, Old Paignton and Brixham Town (March 2026), but a commitment to the revision of all within the borough would be a significant step in ensuring an up-to-date evidence base. As well as updating, the plan should clearly signpost their use in terms of understanding key elements of local character and how development proposals can respond to their context. This is particularly true of the larger sites (in capacity terms) in Torquay town centre.

Tall buildings

We note that tall buildings are a form of development referred to throughout the plan and find there is a lack of specifically defined areas or zones for this building type, coupled with a lack of robust evidence base. This presents the risk that proposals will come forward that are not appropriate in terms of the historic environment and would conflict with other parts of the plan. Our full comments on this issue can be found in the annexe.

Other

In our letter of February 2026 regarding the Regulation 18 consultation, we suggested that, where Heritage Impact Assessments (HIAs) have identified specific mitigation measures, they should be reflected in specific site allocation policies in the pre-submission plan. We note that the format of the pre-submission plan does not allow for the inclusion of such detail, and this is an unfortunate omission as it precludes the helpful setting out of appropriate measures within the text of the plan.

The above particularly applies to the indicative town centre regeneration sites and approximate yields. We note the move from specific sites to generalised areas. While we support the principle of regeneration, including the residential occupation of upper floors, we stress the need to appropriately engage with the historic environment in these areas.

Conclusion

We have very limited concerns with the pre-submission plan and do hope that our comments prove to be useful in the plan being found sound.

If you have any queries about any of the matters raised, or consider that a meeting would be helpful, please do not hesitate to contact me.

Yours sincerely,

Nikita Hooper
Historic Environment Planning Adviser
Historic England (South West)

Appendix: Table of Historic England's comments on the Pre-Submission Draft of the Torbay Council Local Plan

Page	Section	Sound/ Unsound	Comments	Suggested Change
73	Chapter 3 (Housing and regeneration policies), Strategic policy H1a, site H1aP5 (Paignton Hospital)	Unsound	It is noted that the sites listed under this policy and their yields are 'examples', 'not exhaustive', 'approximate' and 'subject to detailed assessment'; however, the apparent lack of a HIA detracts from the evidence base and the soundness of the plan. For context, designated heritage assets in the vicinity of the hospital include the Church of St. John the Baptist (Grade I), The Bishop's Palace (Scheduled Monument) and the Old Paignton Conservation Area.	That a HIA is completed and added to the evidence base.

297-298	Chapter 11 (Designed with quality – taking pride in Torbay’s place-making), Policy DE4: Building heights and urban form	Unsound	We acknowledge the extent of existing development and the topography of the district, together with the housing need targets, and that Strategic Priority 5 (para.1.37, p.24) suggests that tall building schemes are a priority as a future form of development. The plan does refer to general potential locations for tall buildings such as Town Centres (Strategic policy H1a, p.71) and locations in Paignton Town Centre (Strategic policy SDP2, para.2.24, p.45); however, a comprehensive identification of areas is lacking. This absence, together with the implied priority of this form of development, presents the risk that proposals will come forward that are not appropriate in terms of the historic environment and would conflict with other parts of the plan. The plan refers to Torbay Council’s Building Heights Strategy (2010) and the aim to update it drawing from new guidance (para.11.24, p.299); however, an important opportunity has been missed and the document should have been revised or a new similar paper written earlier to suitably inform plan making. The current situation is contrary to the requirements of paragraph 32 of the NPPF (2024) – “The preparation and review of all policies should be underpinned by relevant and up-to-date evidence”. A robust evidence base in terms of tall buildings is lacking and without the comprehensive identification of zones or areas throughout the plan area, an appropriate understanding of the potential impact of this form of development on the historic environment is difficult to determine. Given this, we would suggest that the wording of the policy is strengthened in line with the NPPF.	“The introduction of new tall buildings above the prevailing height will be supported where they: i) Achieve town centre regeneration or other socio-economic benefits. There is an expectation that tall buildings will be acceptable in town centre and harbourside/waterfront regeneration proposals, subject to the impact upon <u>the conservation of the historic environment being afforded due weight</u> and other considerations”
---------	---	---------	---	---