

22 January 2026

Dear Councillor Thomas,

As you know, this government was elected on a manifesto that included a commitment to build 1.5 million new safe and decent homes in this Parliament. All parts of the country, including Torbay, are required to play their part in delivering that objective, and decisions made locally should be about how to meet housing needs, not whether to do so at all.

In light of the above, I am concerned that the draft local plan which Torbay published in November for Regulation 18 consultation contains a minimum housing requirement of 400 dwellings per annum (dpa), a figure which represents approximately 42% of the area's current Local Housing Need (LHN) of 949 dpa.

Torbay's current local plan was adopted in 2015, meaning that many of the policies it contains may now be out of date. Torbay currently cannot demonstrate a Five-Year Housing Land Supply, and the area's most recent Housing Delivery Test Score (2023) was only 66%. It is plainly in the best interests of the communities which Torbay Council represents for an up-to-date local plan to be put in place as soon as possible. The Council has recently re-confirmed its intention to submit a plan before the current plan-making system deadline of 31 December 2026 and it is vitally important that this submitted plan contains a housing requirement that can be shown to be justified at examination.

National planning practice guidance is clear on the sequence of actions that local planning authorities should take when insufficient sites or broad locations have been identified to meet development needs. Authorities are expected first to revisit their assessments, either through conducting further calls for sites or changing assumptions about the development potential of particular sites.

If there is clear evidence that strategic policies cannot meet the needs of the area, factoring in the constraints, it will be important to establish how needs might be met in adjoining areas through the process of preparing statements of common ground. If following this, needs still cannot be met, then the plan-making authority will need to robustly demonstrate the reasons why as part of the plan examination. I understand that these expectations have been reiterated to the Council in meetings with both MHCLG officials and Planning Inspectors.

To ensure that Torbay Council has left no stone unturned in its efforts to identify land that is suitable for development, I have asked the Planning Inspectorate to organise a further Advisory Visit over the coming weeks. The primary purpose of this meeting should be to examine the approach that the Council has taken to meeting its development needs, and to evaluate the extent to which the emerging housing requirement will be defensible at examination.

I expect Torbay Council to engage constructively with the Advisory Visit and will instruct my officials to monitor the outcomes of the session and highlight whether any further action is required.

Yours sincerely,

Matthew Pennycook MP

Minister of State for Housing and Planning

Other letters in this correspondence

Letter from Matthew Pennycook MP 11 June 2026

Response from David Thomas 2 July 2026

Letter from Arthur Young 23 July 2026

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