



Devon & Cornwall  
**POLICE**

## Buildings & Estate Department

Police Headquarters, Middlemoor, Exeter, Devon, EX2 7HQ

📞 101 Non Emergency

SignLive

Non Emergency (BSL video relay)

📞 999 Emergency

📞 Non Emergency Text 67101 (Deaf only)

🌐 dc.police.uk

📞 999 BSL Emergency (BSL video relay)

📞 Text 999 (Deaf only - must pre-register at [www.emergencysms.org.uk](http://www.emergencysms.org.uk))

23<sup>rd</sup> September 2026

Via email: [future.planning@torbay.gov.uk](mailto:future.planning@torbay.gov.uk)

### Torbay Council

Strategy and Project Management

Spatial Planning

2<sup>nd</sup> Floor North

Tor Hill House

Torquay

TQ2 5QW

Dear Torbay Council,

### **Representations on behalf of Devon & Cornwall Police and Office of the Police and Crime Commissioner for Devon, Cornwall and the Isles of Scilly to the Torbay Local Plan 2025-45: Publication Version (Regulation 19) for Consultation**

Thank you for consulting Devon and Cornwall Police (DCP) and The Office of the Police and Crime Commissioner for Devon, Cornwall and the Isles of Scilly (OPCC) together the 'Police' on the recent publication of the Torbay Local Plan, Publication version, Regulation 19 Consultation.

The Police welcome the opportunity to submit comments on the Draft Local Plan Regulation 19 version before it is submitted for Examination. These comments should be read alongside the representations that have been made to the Council at earlier stages of the emerging Plan process, which specifically relate to the Police's infrastructure requirements and the matter of developer contributions. However, for completeness, we have also enclosed the Publication Stage Representation Form for each of the policies that our comments relate to.

Please note that the comments made below are entirely separate, and in addition to any representations made by Devon & Cornwall Police's Designing Out Crime Team (DOCO).

#### 1. OPERATIONAL POLICING CONTEXT

The relevant policing area which covers the Torbay Local Plan is focussed around the three main towns of Torquay, Paignton and Brixham. Both Torquay and Brixham are served by existing Police Stations, while in Paignton, the Police have an office within the Paignton Library and Information Centre. Please note that we comment on matters that concern the Police's existing Estate within Torbay in our response to Policy SC5.

The proposed growth and development planned for the planning authority area over the next 15-20 years - save the implications of LGR which has been placed 'on pause' - will result in an increased population that will have consequential impacts on crime, disorder, and public safety leading to an increase in the number of incidents that the Police have to respond to.

As such, the policies within the new Local Plan should be consistent with the Rule of Law to be able to achieve the “safe places”<sup>1</sup> which are fundamental to the achievement of sustainable development contained within the Government’s National Planning Policy Framework (NPPF). It follows that the Council’s primary duties above all else should be to make planning policies that seek to uphold the Rule of Law and recognise that “public safety is the state’s first job”<sup>2</sup> which was recently stated by Sir Mark Rowley, Commissioner for the Metropolitan Police.

It is therefore important that emphasis is placed on maintaining visible and accessible policing provision including Police infrastructure in the new Plan, particularly in those locations where there is a need for town centre policing to be able to respond to the key issues of violent crime, especially against women and girls; anti-social behaviour; drug and alcohol misuse; vulnerability demand and safeguarding; road safety; and the pressures from seasonal tourism. These are likely to be the key concerns of the local communities and our partners; and together with the Police, the Local Plan should help to identify long term solutions to tackling these local problems.

## 2. REVIEW OF LOCAL PLAN

### Response to Policy TC10: Safe and welcoming town centres for all

The Police continues’ to strongly support the draft wording proposed in Policy TC10 which clearly recognises those uses or developments that have an impact on “policing” in the town centres which “will be required to make appropriate contributions towards the costs of monitoring, maintaining or policing arising from the development.”

The Police have a responsibility to police new developments and uses in the town centres to the same level as that of existing developments without detriment to them, and as such they cannot be expected to meet the cost of the additional Police infrastructure required from their existing budgets. Therefore, we are pleased to note that Policy TC10 provides the mechanism to make appropriate contributions available to the Police to support measures towards the policing of the town centres, harbourside and waterfront to ensure that they are safe and welcoming for all.

The Police are therefore content that draft Policy TC10 meets the tests of soundness; as proposed, it will enable the Police’s infrastructure needs for the area to be met and which are justified based on the most up-to date information received from DCP. Furthermore, it will be effective over the Plan period by making the town centres, harbourside and waterfront safe and welcoming for all. As such, this is consistent with the NPPF (2024), in particular the social objective for sustainable development, which recognises “safe places, with accessible services” as key within paragraph 8b). It also complies with Section 17 (1) of the Crime and Disorder Act 1988 which places a duty on all local authorities to consider crime and disorder implications when formulating policy and determining planning applications for any new development or uses in Torbay.

**No further changes to Policy TC10 are sought.**

<sup>1</sup> National Planning Policy Framework, December 2024 & updated version August 2026

<sup>2</sup> <https://www.telegraph.co.uk/politics/2026/08/13/sir-mark-rowley-met-chief-early-release-rule-of-law-risk/>

Response to Strategic Policy SCS - Sustainable and inclusive communities strategy

The Police strongly support the recognition given in Strategic Policy SCS at xv) for development proposals to be assessed to whether they “*contribute to health services, policing and other social infrastructure where development would exacerbate shortfalls in provision*” (our underlining).

The Police also welcome the inclusion of the additional text at paragraph 5.6 of the Plan which states that “*where the Police identify that development would create additional pressure on services a contribution will be sought towards additional infrastructure.*” As such, this recognises the direct impact that new development can have on Policing infrastructure serving Torbay, and its implications if unmitigated would be unsustainable.

However, for consistency, ‘Policing Infrastructure’ should also be included within the Council’s Infrastructure Development Plan within the ‘types of infrastructure projects’ that would be eligible for Section 106/developer contributions and CIL funding, including the updated version of the ‘Planning Contributions and Affordable Housing Statement’ which is due to be prepared. It should also be noted that in the context of police infrastructure, the types of infrastructure are not limited to buildings, but also include equipment such as PPE, vehicles, bicycles, communications, technology and surveillance infrastructure such as CCTV.

The Police have an established methodology for calculating potential developer contributions towards the provision of policing infrastructure which has been prepared in accordance with best practice recommended by the National Police Chief’s Council (NPCC) in collaboration with the National Police Estate Group. This has been strenuously tested at many public inquiries nationally and found to be wholly in accordance with the three statutory tests set out in the CIL Regulations 122 by the Secretary of State and Planning Inspectorate. As such, the principle of seeking developer contributions towards policing infrastructure is well established (*Jelson Ltd v Secretary of State for Communities and Local Government* [2016] EWHC 2979 (Admin); upheld [2018] EWCA Civ.24 and *R (Police and Crime Commissioner for Leicestershire) vs Blaby District Council* [2014] EWHC 1719 (Admin)).

Therefore, we are content that draft Strategic Policy SCS meets the tests of soundness. Based on the information provided by the Police, it has been positively prepared, is justified, and will be effective over the Plan period. The support given to assessing development proposals to whether they contribute to policing services - where it leads to shortfalls in provision - is also consistent with the NPPF.

Lastly, the recognition given to the increased demand on Police services which justifies the request for developer contributions towards additional infrastructure in the updated version of paragraph 5.6 is also strongly supported and should be retained going forward.

**No further changes to Strategic Policy SCS, or paragraph 5.6 are sought.**

Response to Strategic Policy IN1 - Prioritisation of planning obligations

The Police support the revised wording to include “*Policing*” under Strategic Policy IN1 v) within the range of Broader Sustainable Development Contributions identified. Paragraph 7.10 confirms that “*these will be sought to support infrastructure and other requirements that*

development generates a need for” and states under 5. that “this covers.....safety facilities.” The express recognition given to “safety facilities” which covers Police Stations, and also Policing infrastructure is welcomed, and should be retained in future versions of the Plan going forward. Furthermore, the inclusion of Policing within the Broader Sustainable Developer Contributions under Policy IN1 v) is now consistent Policy TC10 and Strategic Policy SCS which both reference contributions towards policing.

It is therefore considered that Strategic Policy IN1 meets the tests of soundness and is consistent with the NPPF.

### **No further changes are sought to Strategic Policy IN1, or paragraph 7.10 5.**

#### Response to Policy SC5 - Community facilities, infrastructure provision and developer contributions

**Policy SC5** seeks to support sustainable communities where residents enjoy a high quality of life by protecting, retaining and enhancing existing community facilities, including resisting the loss of needed community facilities, and ensuring that new community facilities are located in accessible locations within existing settlements. It states that:

*“All development should contribute positively to the provision of the necessary community facility demand that will arise. Major proposals should provide the necessary supporting infrastructure and community facilities proportionate and appropriate to the scale of the development. These will include health, leisure, sport, education, meeting spaces, and cultural infrastructure, cemetery provision and other facilities such as allotments or community food growing.*

*Local services and facilities should be accessible via their location and have good transport connectivity. The loss of existing community facilities and buildings will only be supported where it is demonstrated that they are not needed, or improved alternative provision is made.”*

Policing is an existing community facility that should be identified within Policy SC5. The existing Police Stations serve the day-to-day needs of local residents and support the role of the town centres, villages and rural areas across Torbay. As such, they seek to provide a safe place to live, work and visit.

The omission of policing as a protected facility within the range of supporting infrastructure and community facilities that are given express reference in SC5 is inconsistent with the other policies within the Plan that refer to “safety facilities” and “policing.”

To resolve the Police’s concerns on this matter, Policy SC5 should be **amended** to include the following revision set out in **bold** below as follows:

*“These will include health, leisure, sport, education, meeting spaces, **policing and safety facilities**, and cultural infrastructure, cemetery provision and other facilities such as allotments or community food growing.”*

Draft Policy SC5 also states that “the loss of existing community facilities and buildings will only be supported where it is demonstrated that they are not needed, or improved alternative

*provision is made.”* It follows that over the Plan period, the Police may declare that an existing Police Station is surplus to their requirements and is no longer needed. However, it is important that the Police are the arbiter of determining the need for policing in an area, with the overall decision being made by the Chief Constable and PCC as to whether there is an excess in provision.

To overcome the Police’s concern on this matter, the following **amendment** to Policy SC5 is proposed in **bold**:

*“The loss of existing community facilities and buildings will only be supported where it is demonstrated that they are not needed **by the relevant provider**, or improved alternative provision is made.”*

If this amendment is made to Policy SC5, then it would resolve the Police’s concerns; furthermore, it would meet the tests of soundness and be consistent with the NPPF.

DCP is currently in discussions with Torbay Council to find ways to improve police infrastructure in Paignton. Both organisations are seeking to achieve an extension to the Police’s office accommodation within the Paignton Library and Information Centre (PLAIC). The extension is essentially needed because the existing Police accommodation is inadequate to meet the needs of Paignton but is also unable to accommodate any increase in Officer numbers which will be required to support future housing growth. Therefore, any development in Paignton that creates a demand for additional policing will be unsustainable unless the office is expanded.

As such, there is an immediate and important need to extend the existing Paignton Police Office. This priority should be identified in the emerging Local Plan together with funding to secure the delivery of this critical infrastructure to support the Council’s Vision and Strategic Objectives for the Town. Whilst in the longer term, the need to replace Torquay Police Station will likely arise, or at least be planned for during the Plan period, this may affect what infrastructure is needed in Paignton; however, the need for change in Paignton is so great that investment in Paignton cannot be deferred whilst the Police’s Torquay infrastructure needs are considered.

Furthermore, and possibly within the lifetime of the Local Plan there could be a need for the Council and the Police to work together to identify a suitable location for a replacement Police Station to replace Torquay Police Station. The existing accommodation is outdated and overcrowded and unsuited to modern policing. Torquay Police Station serves as an office that supports policing throughout the whole of the South Devon BCU (Basic Command Unit). Consequently, this might be an issue that will affect Policing throughout Torbay and thus requiring consideration as part of Torbay Council’s critical infrastructure planning.

Adjacent to Torquay Police Station, DCP own three listed Georgian buildings which are collectively known as Beanland Gardens. These three buildings have until this month served as the accommodation for DCP’s Public Protection Unit (PPU) and its Torbay ABE suites (Acquiring Better Evidence suites). The specialist officers working in the PPU and the interview rooms provided in the ABE facilities will be relocating during September and October 2026 to new accommodation at Edginswell leaving the Beenland Gardens building surplus to requirements. DCP cannot currently justify releasing the buildings for sale/conversion because of the operational impact on the adjacent Police Station. Notwithstanding this, a sustainable alternative use should be found that does not conflict with the operation of the adjacent Police

Station or reduce the number of car parking spaces within the Police's site. The Council and the Police should look for an imaginative solution that will secure a sustainable alternative use for these assets.

Brixham Police Station serves as neighbourhood office and as such it should provide an office to meet local policing needs. However, due to the inadequacy of police accommodation in Paignton, it is by necessity fulfilling a wider policing role. Whilst no change to Brixham Police Station is currently envisaged, the review of Police accommodation across Torbay might identify ways of improving the visibility and quality of neighbourhood policing in Brixham. Brixham Police Station is located on a large prominent site in Rea Barn Road, and undoubtedly the site has potential for an alternative residential use. Redevelopment to allow residential use however could only be contemplated if a better Torbay-wide Police infrastructure solution was found (and has been implemented) which improved policing throughout Torbay.

The Police as a key infrastructure provider for Torbay would welcome the opportunity to discuss this matter with the Council to support the delivery of the new Local Plan. This follows the engagement that is encouraged with service providers at the plan-making stage in the updated NPPF to better understand existing deficits and additional requirements arising from proposed development to reflect the wider changes in local population which is of direct relevant to Torbay. Therefore, again, it is important that Policy SC5 supports this process.

The Police would therefore request that the above changes are made to Policy SC5, so that it meets the tests of soundness, and is consistent with the NPPF. We also wish to reserve the ability to participate in the Hearing Session on Policy SC5.

### 3. CONCLUSION

Section 17(1) of the Crime and Disorder Act 1998 (1998 Act) places a duty on all local authorities to consider crime and disorder implications. Paragraph 101 of the NPPF (2024) which the emerging Plan has been prepared against places "*significant weight*" on the need for police infrastructure and facilities to be considered in the decision-making process.

There is clear national and local policy, including appeal decisions in support for the need for police infrastructure and facilities.

As such, the proposed policies in the Torbay Local Plan should ensure that there is sufficient regard to the provision of police infrastructure and facilities, together with funding resources through contributions and obligations secured via Section 106 Agreements, and CIL.

Yours faithfully,

[Redacted Signature]

**Iain Masters MRICS**  
**Estate & Development Manager**

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