

Future Planning

From: Angharad Williams [REDACTED]
Sent: 02 February 2026 13:40
To: Engagement; Future Planning
Cc: Mike Smith; Michael Newman
Subject: Regulation 18 Representations Draft Local Plan - January 2026
Attachments: Local Plan Reps Torbay Cavanna - Final Jan 2026.pdf

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Dear Sir/Madam,

Further to a call with your department, please find attached representations regarding your Regulation 18 Draft Local Plan consultation, on behalf of our client, Cavanna Homes.

We understand the consultation closes this evening, and therefore trust these representations are submitted within the deadline.

Please do not hesitate to contact me should you have any questions.

Kind regards,
Angharad

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Torbay Local Plan Representations Regulation 18

Submitted on behalf of Cavanna Homes
January 2026



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1. Introduction

1.1 AWP has been instructed by our client, Cavanna Homes, to provide these comprehensive representations in respect to the Draft Torbay Local Plan 2025 to 2045: Regulation 18 Consultation Draft.

1.2 Torbay has already undergone two previous consultations within the Regulation 18 stage and now seek comments regarding the draft Local Plan.

1.3 These representations provide both general comments on the content of the Local Plan as well as raising more specific site related matters.

2. General Comments – Strategic Policy

2.1 The Local Plan appears to offer a generous selection of policies that will contribute to the overall Strategic aspirations of the Plan. However, disturbingly, it sets out that the Local Plan only seeks to achieve an average of 400 dwellings per year over the Plan period 2025-45, which is a significant shortfall when compared to the Governments Local Housing Needs target of 950 homes per year. The emphasis on the delivery of more homes is strongly reflected in the policies of the National Planning Policy Framework (NPPF) and the recent consultation. As such, Torbay's draft plan is already at considerable risk of under delivery.

2.2 The importance of housing delivery cannot be underestimated, and as noted within the draft plan, Torbay's population is growing, and housing is desperately needed. Torbay's draft Local Plan should therefore be prioritising all possible opportunities for housing, to ensure that it can meet its requirement for the forthcoming years.

2.3 However, there is a concern that the priorities of the plan are very business led, with a significant emphasis on favouring employment led schemes.

2.4 Of particular concern is the Spatial Strategy outlined within Strategic Policy SS1. This policy stipulates:

*The Plan supports the creation of at least 80,000 sq. m of Class E(g)/B2/B8 net employment space over the Plan period, equal to at least 20 ha. with an emphasis on bringing employment space forward as early as possible in the Plan period. **All developments capable of delivering 100 or more dwellings should provide at least 25% of the area as employment space.***

2.5 This policy would have a significant impact on the Council's ability to meet their housing need, given that it would likely render many developments unviable, especially given the requirement to meet other local and national policy requirements such as Biodiversity Net Gain (BNG).

2.6 Whilst the importance of employment space is recognised, it is felt that this needs to be proportionate to need, as currently, it is considered that this draft policy is contrary to the accompanying Sustainability Appraisal that clearly expresses the

need for high quality, affordable housing. It will not be possible for developers to provide the plans ambition for affordable housing with such a big ask on employment provision.

2.7 Further to this, it is considered that the policy is also very ambiguous in its interpretation and clarification is required should the policy remain. For example, would the policy require 25% of the redline site to be designated employment land? Or would it be considered as an off-site contribution? The need for employment land to be provided within the site at all times would be extremely difficult and in some cases, impractical, as not every site would be appropriate.

2.8 Any off-site contribution needs to be viable to pay and there needs to be a clear calculation method that can be applied to housing numbers, which must be assessed in the viability work to support the Local Plan.

2.9 Currently, the Council's method for calculating an offsite employment scheme is not viable or transparent, and so a policy change in how the final contribution is calculated would also be required should the Council pursue this method. For example, a scheme that our client currently has under consideration with the Council (Wilkins Drive as discussed below), has requested a huge £1.4million towards employment, which is hugely out of proportion and would render any site unviable. The scheme is already having to deal with the financial impact of challenging ground conditions, as well as what was an assumed contribution of £150,000 towards employment. Even this much smaller financial contribution is pushing the scheme to an unviable position, as would an even smaller amount.

2.10 Large areas of Torbay suffer significant devaluation, and this is reflected in property values. This combined with notoriously difficult geological conditions in the Bay (resulting in greatly increased abnormal build costs), means development viability is already difficult, so any additional contributions are likely to undermine the likelihood of housing delivery at all.

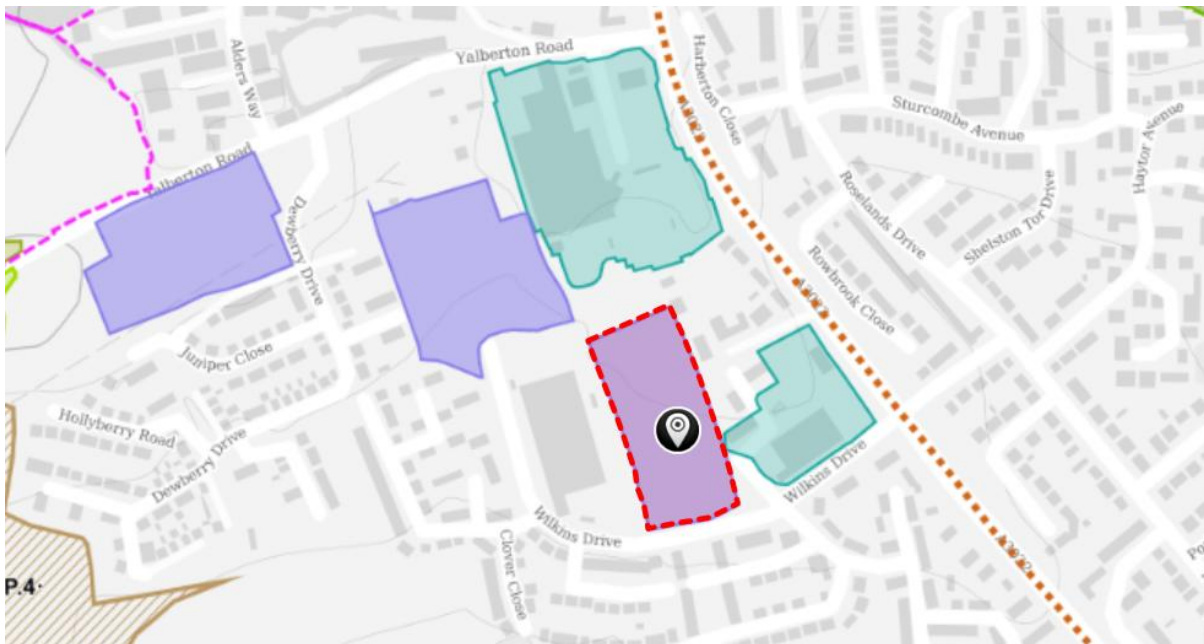
3. The Allocations

EIP.3 Wilkins Drive, Paignton

Representation – objection to employment allocation

Suggested Modification - that the site be allocated for **100% residential**

3.1 This site is currently identified within the draft Local Plan under Strategic Policy E1: (Strategic employment land allocation), as E1P.3 Wilkins Drive, Yannons Farm.



Extract of the site allocation from the Draft Proposals Map

3.2 The proposed allocation is supported by the following text:

The following sites are proposed for employment use within Class B2, B8 or E(g), to meet the needs of existing, growing and new businesses. Within these areas, a minimum of 50% (or 2000 sq. m. per hectare) will be provided as Class B2 or E(g) employment, subject to other policies in this Plan. Early delivery of serviced units of Class E(g) or B2 space will be sought. Where later delivery of B2 /E(g) units is proposed, a S106 phasing agreement will be required setting out safeguards including compensation for non-delivery of employment units.

3.3 Our client, strongly objects to the Council's proposal to allocate this site purely for employment for the following reasons:

1. The site is currently subject to a live planning application by Cavanna Homes

3.4 A live planning application under reference P/2024/0819 is currently being considered by the Council for this site, which is described as: ‘*Construction of residential development to include 46 dwellings, areas of open space, vehicular and pedestrian access and associated site infrastructure*’. The application was validated on the 10th of March 2025, and as such, is a considerable way through the planning process.

3.5 The comments already received on the application from the Strategic Housing Team confirms the site is in a “**very sustainable location and provides much sought after affordable housing accommodation**”.

3.6 It is noted that the draft Local Plan puts significant weight on the provision of affordable housing supported by the Sustainability Appraisal that accompanies the consultation documents. Therefore, to allocate this site solely for employment when it is already under consideration for residential development, including much needed affordable housing, is not considered to be logical or appropriate.

3.7 Importantly, the current Local Plan stipulates that where residential comes forward on this site, the need for employment will be **compensated unless there is another significant social benefit**. In this instance, Cavanna Homes are providing a very significant 30% affordable housing provision, which as noted above has already been considered acceptable by the Housing Officer.

3.8 To change the allocation whilst a current, policy compliant, live application is under consideration would be unreasonable. The associated policies of the Draft Local Plan would make it almost impossible for this current application to gain support given that the supporting text to the proposed policy states:

Para 4.14 - Proposals for non-employment use of these allocations will be resisted, subject to the considerations in Policy E4 below. The council recognises that there is likely to be limited demand for new office space, and proposals should avoid this as an element of mixed-use developments, unless supported by clear evidence that it is deliverable.

3.9 Policy E4 goes on to state:

Policy E4: Safeguarding strategic employment land (proposals involving the loss of employment land)

*Proposals for the loss of existing or allocated employment space will be considered on the basis of the impact on the economic prosperity of Torbay, the appropriate mix of uses within a locality, and on the amenity of people in the area. The loss of sites that provide employment of strategic importance to the Bay's key economic sectors will be resisted. Within allocated sites in Policy E1, Proposals that result in the net loss of employment space **will be refused unless it is demonstrated that the proposal results in a significant public benefit that cannot be achieved elsewhere in Torbay, and that there would be no adverse effect on the retention of existing employers in the Bay.***

3.10 Consequently, to continue with the proposal to allocate this site wholly for employment would render the current application contrary to planning policy and as such, pre-determine its refusal. This would be unreasonable and impractical when the Council is currently not delivering sufficient housing in accordance with its need.

3.11 The site is sustainably located, has limited constraints, and is clearly acknowledged to be suitable for residential development given its planning history and current allocation. There is currently insufficient evidence within the draft Plan to demonstrate that this site is essential to meeting Torbay's employment land requirement, or whether there are alternative, more suitable employment sites, to meet forecasted economic needs.

2. The site access

3.12 As acknowledged within the supporting text of this proposed allocation, the standalone access strip is controlled by a local housebuilder (Cavanna Homes). As such, it is highly unlikely the site will come forward for employment as Cavanna Homes seek to develop sites primarily for residential purposes.

3.13 It can therefore be concluded that retaining Wilkins Drive as an employment allocation risks non-delivery of this site, which as a result would see a missed

opportunity of the Council to address its housing shortfalls. This would be contrary to National planning Policy, which seeks to make efficient use of land.

3.14 It is therefore respectfully requested that this site be allocated for 100% residential, rather than identified for employment provision as the current proposals seek to do. This would assist the Council in achieving their housing need, as well as providing the community with much needed affordable housing.

Summary

3.15 The draft Local Plan proposes to allocate EIP.3 Wilkins Drive for employment use despite strong evidence that this site can deliver much-needed homes. The site is currently being promoted for housing development via a live planning application which if approved, will secure and accelerate the delivery of a housing site, including a substantial percentage of affordable housing.

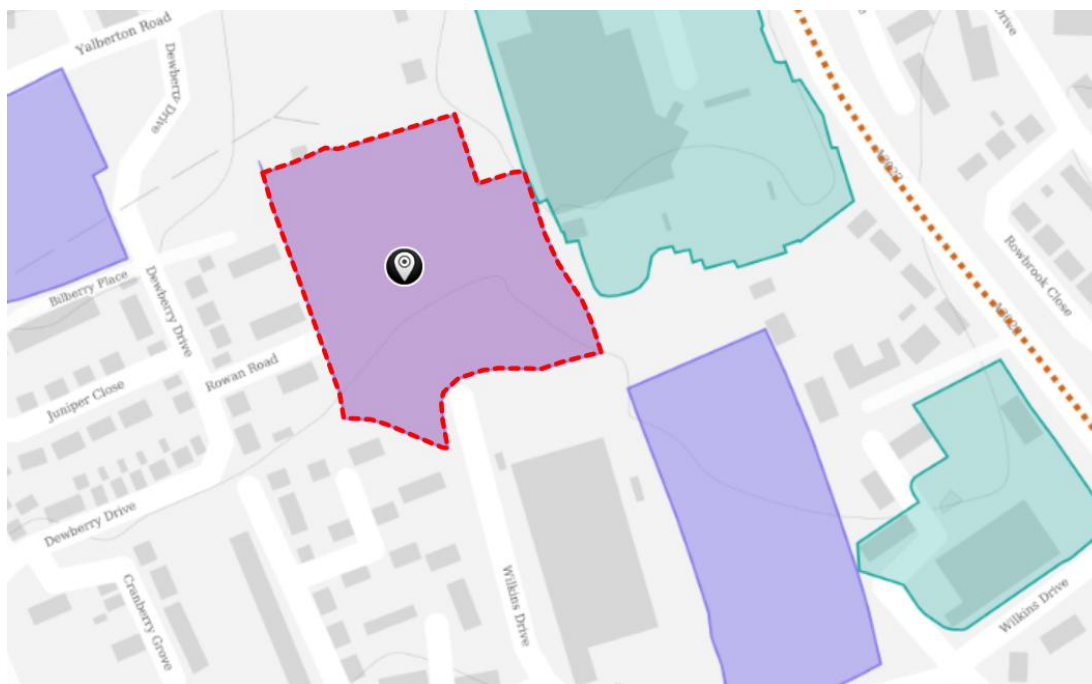
3.16 The draft Local Plan's strategic objectives include boosting housing delivery (at least 400 homes per year) and prioritising urban regeneration and sustainable development. Allocating Wilkins Drive solely for housing supports these priorities by making efficient use of land that is already related to the urban edge of Paignton and is appropriate for residential development.

3.17 There is no clear evidence presented in the Regulation 18 draft that Wilkins Drive is essential to meet Torbay's employment land requirements, and without robust evidence that other employment sites cannot meet requirements, retaining an employment allocation on this site risks under-delivering housing without demonstrable economic benefit.

E1P.4 Land north of Wilkins Drive, Paignton

Representation – support the proposal for the site to be an employment allocation

3.18 This site is currently identified within the draft Local Plan under Strategic Policy E1: (Strategic employment land allocation), as a new employment allocation - E1P.4 Land to north of Wilkins Drive, PMU.



Extract of the site allocation from the Draft Proposals Map

3.19 Our client, Cavanna Homes, supports this new allocation as it is considered to be a site that lends itself well to the provision of commercial development due to it adjoining a large electronic substation.

3.20 It is a logical allocation given its ‘future growth area’ status within the current Local Plan, and the development of this site as an employment allocation, together with the residential development of the site to the south (as discussed above), will see this part of Paignton become a sustainable, attractive, inclusive environment to both live and work. Therefore, meeting the overall economic aims and objectives of the plan, as well as aligning with the goals of National Planning Policy.

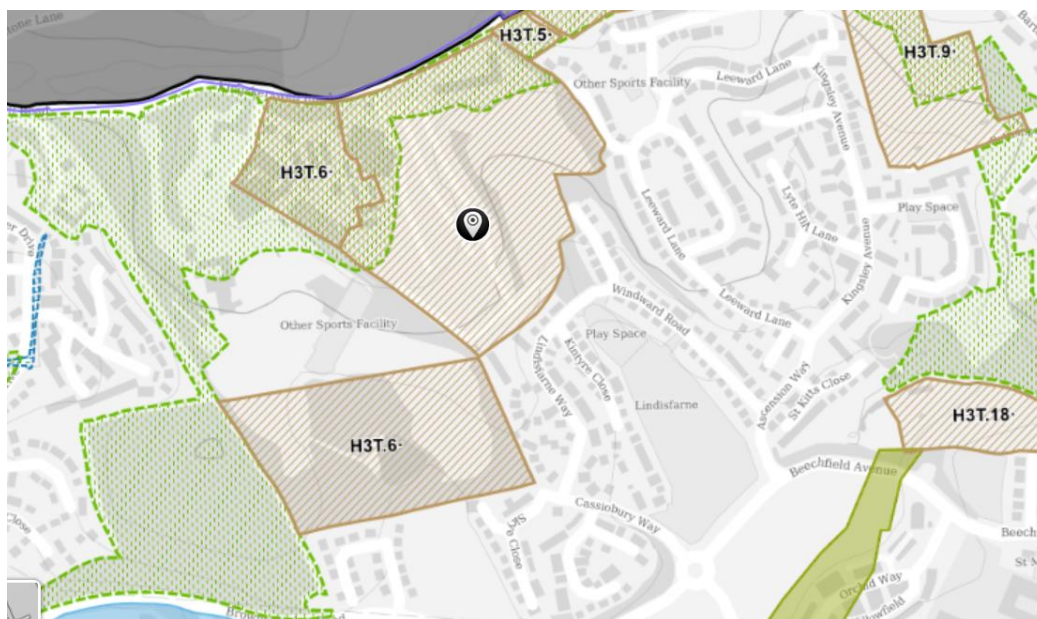
3.21 The provision of the site will strengthen Torbay’s economic base by contributing significantly to the required supply of employment land, as well as support job

creation and business growth. The allocation will safeguard the site and will help secure a prosperous future.

HT3.6 Torquay Holiday Park (north of Willows) & Land to North of Nuthutch Drive

Representation – Support allocation for residential development

3.22 These sites are currently identified within the draft Local Plan under Strategic Policy H3: (Other Local Plan allocated sites).



Extract of the site allocation from the Draft Proposals Map

3.23 As acknowledged within the consultation, both sites are currently allocated within the adopted Local Plan. Their continued allocation for up to 250 units within the draft Local Plan is welcomed, and the allocation secures provision of required housing within this sustainable, urban area of Torbay.

3.24 Furthermore, it aligns with the plans priority of delivering housing on brownfield sites in an area that is highly accessible and makes more efficient use of land.

3.25 The current consultation on revisions to the NPPF signals a clear direction of travel in national planning policy, including a stronger emphasis on housing delivery through local plans with continued support for efficient use of land.

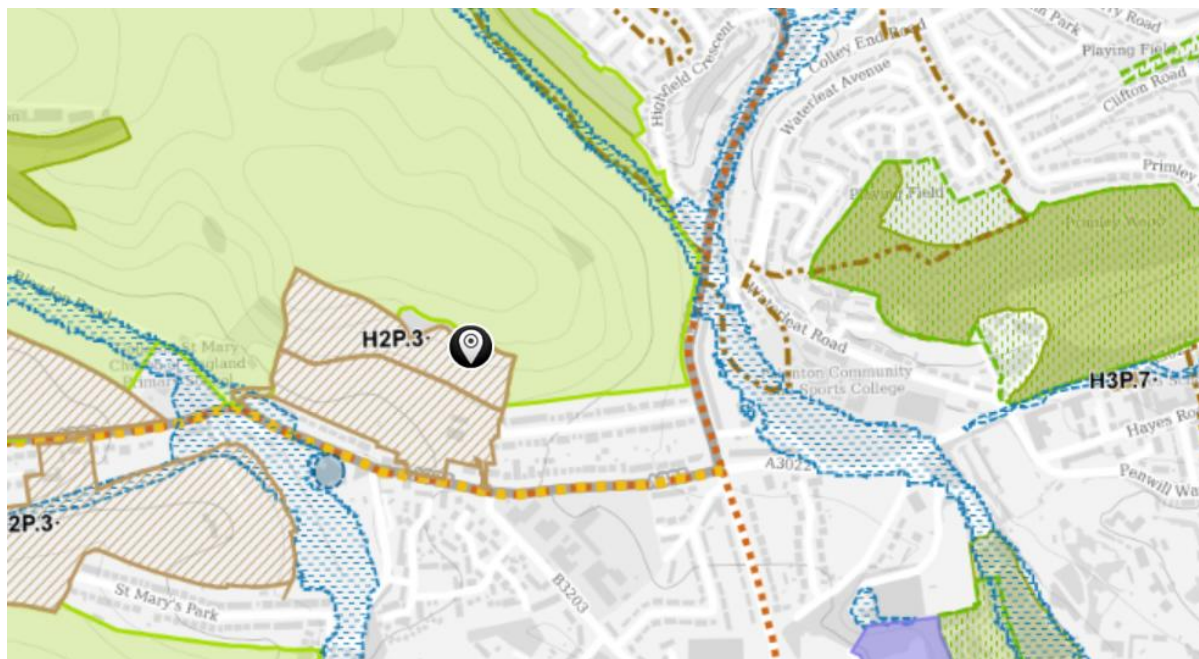
3.26 While limited weight can be applied at this stage, the proposed allocations of these sites are well aligned with these emerging priorities.

3.27 Our client has been invested in these sites for some time and also benefits from potential vehicular access to parts of the sites.

3.28 Whilst the allocation is wholly supported, our client would seek the assistance of the Council in engaging with the current owners/occupiers of the sites to move proposals for residential development forward and accelerate its delivery. Numerous attempts have been made to engage with the existing parks regarding redevelopment opportunities, and to date, our client has had no success.

H2P.3 Collaton St Mary, Paignton

Representation – support allocation for residential development



Extract of the site allocation from the Draft Proposals Map

3.29 The proposed housing allocation of H2P.3 (Land north of Totnes Road) is fully supported by our client.

3.30 The allocation is considered a logical extension to an existing and secured growth area, with housing delivery already secured in this area via recently granted planning permission P/2019/0281.

3.31 Such permission was for major reserved matters approval for:

“Development of up to 100 dwellings, including affordable and market housing. Associated landscaping, open space, drainage and highways infrastructure at Land North of Totnes Road together with new access onto Totnes Road. Matters relating to condition 01 (RM): (i) layout, (ii) scale, (iii) appearance, (iv) landscaping. (Re-advertisement: As revised by plans received 27.01.25).”

3.32 With the principle of housing secured in this area, the Council's decision to allocate this further piece of land for additional housing is rational and will guarantee the Council further delivery of housing to meet their target needs. With the current Local Plan already seeing the majority of this area identified as part of the wider Collaton St Mary (Paignton North and West Area) Future Growth Area, it makes logical sense to extend this allocation into this appropriate, accessible site.

3.33 However, on the matter of accessibility, the Council also needs to reconsider its unique approach to access and restricted unit numbers. As whilst this site represents an efficient, sustainable use of land that would avoid the need for isolated, remote development, the Council's current highway's view of essentially 'two' accesses being required post 100 units would cause a delay.

3.34 This logical housing allocation can be easily and safely accessed via our client's existing housing site (approved planning permission P/2019/0281), accelerating much needed housing delivery and providing essential new homes. However frustratingly, its delivery would currently be hindered by the Council's current and unique requirement of an 'emergency access' being required post 100 units. In this circumstance, the ownership of such land required for this exclusive emergency access is unknown.

3.35 In conclusion, the site's allocation for housing represents an efficient and sustainable use of land which our client fully supports. Its development for further housing comprises a logical extension to the already approved area of housing to its immediate south, therefore, sees further, guaranteed housing delivery which avoids the need for isolated, remote development. The site can be easily accessed via an existing planning permission that our client is building out. A relaxation of Torbay's exclusive access constraints would allow delivery in an appropriate location in close proximity to existing housing supporting the optimisation of infrastructure and service provision.

4. Conclusion

4.1 These representations have been prepared on behalf of our client, Cavanna Homes, regarding the Torbay Local Plan consultation for the draft Local Plan at Regulation 18.

4.2 Our client has carefully considered the draft Local Plans policies and provisions, and whilst it is considered that the plan overall provides a well-structured, prosperous future for the Bay, it has been demonstrated within these representations, that there remains a significant shortfall in the Council's housing target, and modifications are required. The draft Local Plans emphasis on employment provision also needs to be reconsidered, where it is felt there is an imbalance between the Council's aspirations for housing and that for economic prosperity.

4.3 Nevertheless, despite this imbalance, it is acknowledged that the draft Local Plans proposal to allocate certain sites for residential development, represent a logical extension to the urban landscape of Torbay. These allocations are supported by our client, and are considered to be deliverable, sustainable sites, which make the most efficient use of land within the bay.