

Representations to the Torbay Local Plan 2025–2045 Pre-Submission (Regulation 19) Document.

Sladnor Park, Teignmouth Road, Torquay.

On behalf of Gallagher Ventures Ltd.

Date: September 2026 | Pegasus Ref: P23-1461

Author: Chris Marsh



Document Management.

Version	Date	Author	Checked/ Approved by:	Reason for revision
R002v1	September 2026	CM	-	-
R002v2	September 2026	CM	RC	-
R002v3	September 2026	CM	RC	Final



Contents.

1. Introduction.....	1
2. Torbay Local Plan 2025–2045.....	3
3. Strategic Policies	5
4. Housing Need and Supply.....	9
5. Sladnor Park, Torquay	11
6. Conclusion.....	17

Appendices contents.

Appendix 1 – Site Location Plan	18
Appendix 2 – Letter from Matthew Pennycook MP	19
Appendix 3 – Submissions of Torquay Neighbourhood Forum	20

1. Introduction

- 1.1. Pegasus Group have been instructed by Gallagher Ventures Ltd. (henceforth 'our clients') to prepare representations to the draft Torbay Local Plan 2025–2045 Document in respect of their land interests at Sladnor Park, Teignmouth Road, Torquay. A site location plan has been appended to these representations at **Appendix 1**.
- 1.2. Sladnor Park is subject to a current planning application for 110no. dwellings pending determination by Torbay Council under ref. P/2025/O353. These representations refer to technical reports that accompany the planning application where relevant.
- 1.3. The current consultation draft Regulation 19 document, entitled 'Draft Torbay Local Plan 2025 – 45: A Landscape to Thrive' follows three Previous Regulation 18 Consultations conducted in in 2022: Growth Options (Jan 2022) and Housing Site Options (October 2022), shortly after which plan preparation was largely paused until the most recent Regulation 18 consultation concluding in the early part of 2026.
- 1.4. These representations are submitted subsequent to, and should be read alongside, those made in January 2026 in relation to the then Regulation 18 Options consultation, on behalf of the co-applicant for the above application, Strongvox Ltd.
- 1.5. Our submissions at the time focused, *inter alia*, on the strategic policies of the plan and in particular the level of growth being targeted, noting that similar concerns have been expressed in this regard by, amongst others, Devon County Council, Teignbridge District Council, NHS Devon, the National Trust and the Minister of State, Matthew Pennycook MP.
- 1.6. These representations have had regard to the published Regulation 19 Document consultation and questions set out therein in addition to accompanying documentation forming the current evidence base and the national planning context.
- 1.7. The following chapters set out our views on the Torbay Local Plan 2025–2045 Regulation 19 Document. Specifically, these representations respond to the following specific matters:
 - Strategic Policies;
 - Housing Need and Supply; and
 - Sladnor Park.
- 1.8. Annex A of the 2026 National Planning Policy Framework (the Framework) directs at paragraph 4 that *"Any local plans minerals and waste plans and supplementary plans being prepared under Part 2 of the Planning and Compulsory Purchase Act 2004 (as amended by the Levellingup and Regeneration Act 2023) and the Town and Country Planning (Local Planning) (England) Regulations 2026 should be produced in accordance with this Framework."*
- 1.9. As the emerging Torbay Local Plan is presumed to be submitted before 31 December 2026 and thereby progress under the 'Legacy' plan-making system rather than the 2026 Regulations, it is the 2024 version of the Framework against which the new Local Plan will be examined. All references hereafter to 'the Framework' therefore direct to the 2024 version unless otherwise stated.

1.10. Paragraph 11(b) of the Framework directs that plan-making should apply a presumption in favour of sustainable development, meaning:

“b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”*

1.11. In respect of the preparation of Local Plans, Paragraph 15 of the Framework states that:

“1 The planning system should be genuinely plan-led. Succinct and up-to-date plans should provide a positive vision for the future of each area; a framework for meeting housing needs and addressing other economic, social and environmental priorities; and a platform for local people to shape their surroundings.”

1.12. Paragraph 16 goes on to state that:

“Plans should:

a) be prepared with the objective of contributing to the achievement of sustainable development;

b) be prepared positively, in a way that is aspirational but deliverable;

c) be shaped by early, proportionate and effective engagement between planmakers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees;

d) contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;

e) be accessible through the use of digital tools to assist public involvement and policy presentation; and

f) serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).”

1.13. These tests of soundness, along with other legal and procedural requirements associated with the Plan-making process provide a contextual framework for these representations, which are intended to be constructive to the plan making process and used to inform any further work the Council is yet to undertake in order to ensure a sound Local Plan.

2. Torbay Local Plan 2025–2045

- 2.1. Our clients support the Council in the renewed preparation of a new Local Plan and provision of the overarching goals in shaping the emerging plan, working proactively to comprehensively develop the vision, strategic objectives, development requirements, spatial development strategy, and policies that will shape detailed development proposals.
- 2.2. This exercise will inevitably take into account changes to the national planning legislation, revisions to the NPPF and Planning Practice Guidance (PPG) that have occurred since the adoption of the currently adopted Development Plan, comprising the Torbay Local Plan, which is now more than a decade old, and even subsequent to the previous Regulation 18 consultation.
- 2.3. Our clients support the utilisation of the Council's corporate plan as a basis for the new Local Plan in accordance with paragraph 7 of the Framework which states that *"The purpose of the planning system is to contribute to the achievement of sustainable development, including the provision of homes, commercial development and supporting infrastructure in a sustainable manner."*
- 2.4. In terms of examining Local Plans, Paragraph 36 of the Framework goes on to direct that:

"Local plans and spatial development strategies are examined to assess whether they have been prepared in accordance with legal and procedural requirements, and whether they are sound. Plans are 'sound' if they are:

*a) **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;*

*b) **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;*

*c) **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and*

*d) **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant."*
- 2.5. Criterion (a) is read with accompanying footnote 20, which for completeness states that *"Where this relates to housing, such needs should be assessed using a clear and justified method, as set out in paragraph 62 of this Framework"*, which in turn states:

"To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning practice guidance. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for."

- 2.6. Paragraph 32 of the Framework directs that *“Policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Reviews should be completed no later than five years from the adoption date of a plan, and should take into account changing circumstances affecting the area, or any relevant changes in national policy. Relevant strategic policies will need updating at least once every five years if their applicable local housing need figure has changed significantly; and they are likely to require earlier review if local housing need is expected to change significantly in the near future.”*
- 2.7. Our clients consider that the overarching principles of the spatial priorities as outlined within the current consultation document largely align with the requirements as set out in the Council’s Corporate Plan. However, for the reasons set out in the remainder of this document, we consider that as presently drafted the scale of housing growth needed far outstrips that which is being planned for and that this represents a significant threat to the plan’s being found sound.
- 2.8. Our clients support the Council’s commitment in principle to a plan for growth, however in practice the emerging plan’s aspirations currently fall well below minimum levels required in accordance with the Framework and the standard method as set out in this submission.

3. Strategic Policies

Strategic Policy HS: Overall Housing Strategy and Presumption in favour of Urban Regeneration

- 3.1. This policy is discussed in more detail in the following section, which addresses the real-world circumstances of housing need and supply however at a strategic level we would make the following observations.
- 3.2. The policy sets out a proposed delivery of at least 8,000 dwellings over the period 2025–2045, equal to an average of 400 dwellings a year over the Plan period. This falls well below the number indicated by the national standard method, significantly less than half the annualised requirement.
- 3.3. The Framework is clear at Paragraph 62 that *“To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning practice guidance. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.”*
- 3.4. There is no express ‘grey area’ in national planning policy entertaining the prospect of exceptional local circumstances justifying a housing target well below the national standard method, notwithstanding Paragraph 62’s use of the word ‘should’ as opposed to ‘must’, and this should also be read in the context that consistency with the Framework is a key requirement of local plans as set out at Paragraph 36(d).
- 3.5. As previously submitted, despite the preparation of a Topic Paper, no compelling justification is put forward as to why Torbay should be treated as a ‘special case’ as constrained to such a severe extent as to be different from all other authorities (an estimated 78no. of which are also coastal authorities) or in any case how such an approach can be reconciled against the NPPF’s objective of significantly boosting the supply of homes through strategic policies.
- 3.6. It appears that this view is shared by Matthew Pennycook MP, as set out in his letter to the Leader of the Council dated 11 June 2026, a copy of which is enclosed at **Appendix 2**.
- 3.7. As such, whilst our client supports the Council’s commitment in principle to a plan for growth, in practice the emerging plan’s aspirations currently fall well below minimum levels required in accordance with the Framework and the standard method, as explored in the following section.
- 3.8. Our client is supportive in principle of the ‘freestanding presumption’ in favour of redeveloping urban brownfield land, as enshrined in the draft policy, however given the extent of housing need, the fact that none of this authority area is particularly remote from sustainable settlements and that other protective policies should be capable of operating independently, this presumption should be expanded to include, as a matter of principle, all brownfield land within the authority area.
- 3.9. Our client is also broadly supportive of the overarching criteria set out at (i) to (v) although these are largely repetitious of other local and national development management policies.

Strategic Policy H3: Other Local Plan allocated sites (outside the built up area in the Adopted Torbay Local Plan 2012–30)

- 3.10. Our client supports the principles of Strategic Policy H3 in allocating specific sites for residential development and in providing an indicative capacity for each, as this sets realistic expectations and corresponds to the overall anticipated level of growth, notwithstanding the insufficiency of that figure as set out above.
- 3.11. We are also supportive of the principle that this policy secures the provision of not just housing numbers but in reality good quality homes, and also that sites should be developed at the highest density appropriate to their location and consistent with good design. In this respect, the circumstances of each site will differ, and a reasonable approach to constraints and opportunities – for instance as set out in a Design and Access Statement – will allow proper assessment in this respect at application stage.
- 3.12. The inclusion of Sladnor Park (site H3T.2) as a residential allocation with an estimated capacity of 120no. dwellings is supported, and although the extant planning permission at the site (P/2020/0315) is correctly noted, this is of limited bearing as the site is a perfectly reasonable proposition for residential redevelopment in any event.
- 3.13. Turning to the site notes, specifically “21T064 Subject to successful resolution of drainage issues”, this relates to the current planning application in respect of which determination remains pending, and on which further commentary is provided in Section 5 of this submission. As an overarching comment, however, drainage will shortly be resolved.
- 3.14. The notes also state *“Due to its location within the coastal landscape, the bulk of the site will remain outside of the settlement boundary, with the exception of the development area broadly corresponding to the previously developed area of Sladnor Park.”*
- 3.15. It is notable that, as shown in the excerpt below, the full ownership boundary of Sladnor Park is identified as an allocation on the draft proposals map, notwithstanding the retention of a significant proportion of the site within the ‘Countryside Area’. This is not however inconsistent with the supporting notes above, as a comprehensive development will naturally include elements such as strategic planting, public open space, habitat enhancement and sustainable drainage, none of which would independently conflict with expectations for Countryside Areas, and would allow for greater flexibility across the site.
- 3.16. In practice, the previously developed parts of the site represent the most readily developable areas in any case, through a combination of established levels/topography, lack of protected trees and existing infrastructure, thus limiting both constraints and additional costly engineering work to deliver housing.
- 3.17. It is also noted that the proposed allocation remains contiguous with the defined Village Envelope of Maidencombe (denoted by the dashed black line in the excerpt below), rationalising the existing pattern of development in this location and reflecting the site’s close association with the village. We would tangentially observe, however, that the village is neither scattered nor a hamlet; it is clearly a ‘settlement’ for the purposes of the definition in the 2026 Framework and applying its policies for decision-making in the future, and should be defined as such throughout the Plan.

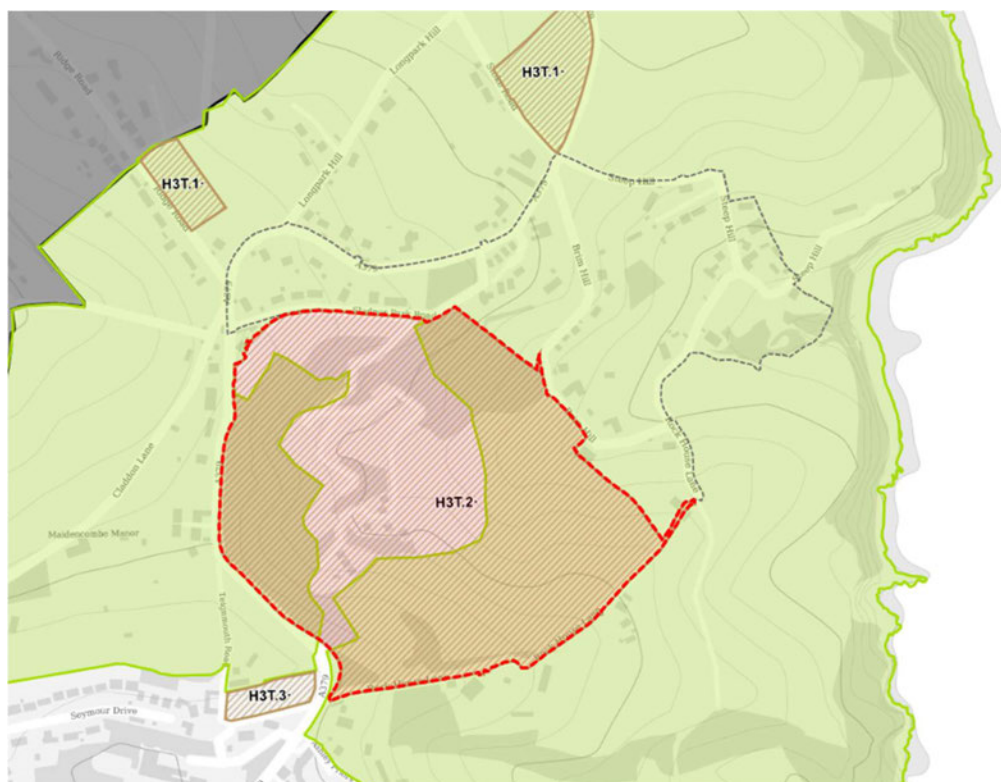


Figure 1: Excerpt from Emerging Local Plan Proposals Map

Strategic Policy L1: Protecting our countryside and rural economy

- 3.18. Strategic Policy L1 appears to seek to cover all matters remotely 'rural', including Landscape Character Assessment, designated landscapes and protected habitats, while also setting the spatial framework for development proposals within this area, which as shown on the draft proposals map covers a substantial portion of the authority area.
- 3.19. In this respect, the policy's wording *"In the open countryside away from existing settlements, and in rural areas surrounding the three towns of Torbay, development will be resisted where this would lead to the loss of open countryside or creation of urban sprawl, or where it would encourage the merging of urban areas and surrounding settlements to the detriment of their special rural character and setting"* implicitly sets a presumption against development of virtually all currently undeveloped land, in effect.
- 3.20. By 'away from existing settlements', because the extents of the Countryside Area and Undeveloped Coast are drawn tightly, usually contiguously with the existing built-up envelope of settlements (and the policy states that these in turn define the settlement boundaries), however, this means that greenfield land is being protected simply for its own sake, with seemingly no regard to the overwhelming need for development.
- 3.21. The full extent of these two self-imposed 'constraints' is shown in the excerpt of the proposals map below; it prompts one to question whether these areas really are of equal value to one another and necessary to protect from all but a very limited range of types of development, or indeed whether they are simply over-designated.

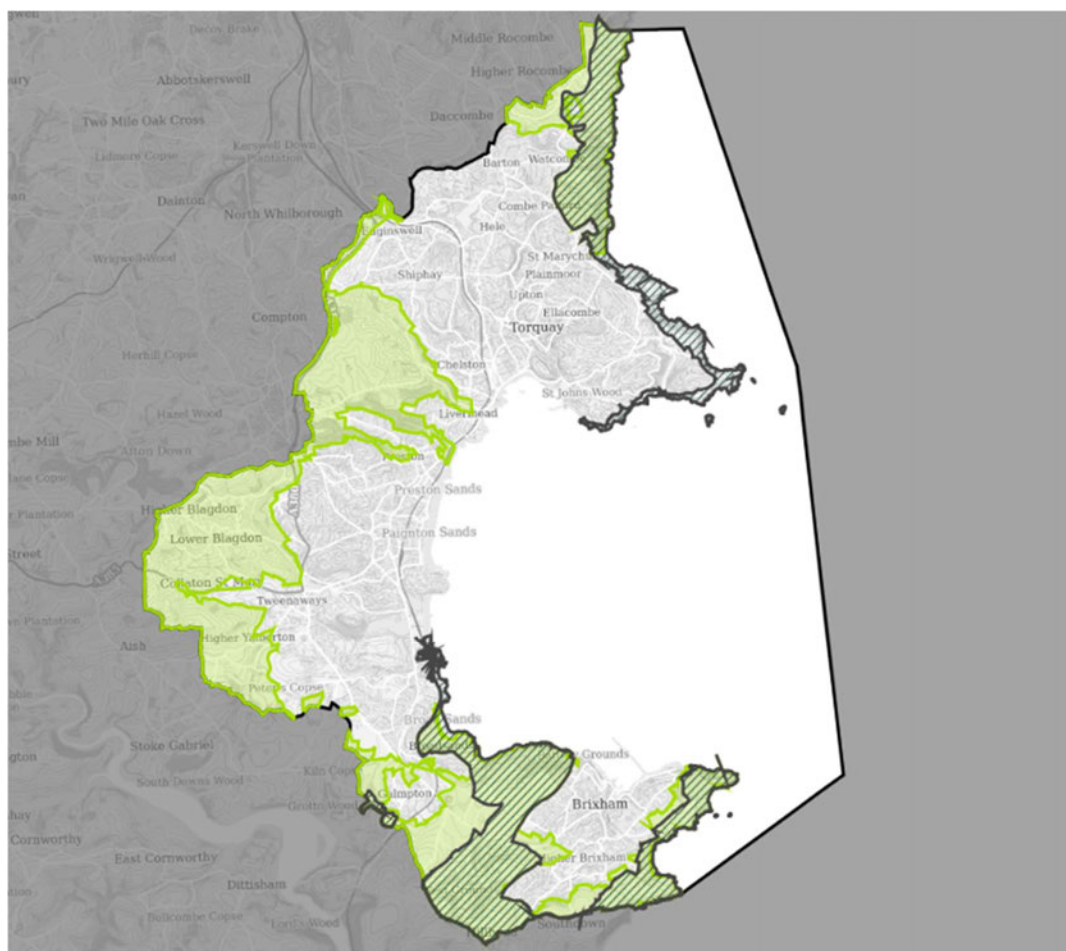


Figure 2: Extent of Countryside Area and Undeveloped Coast

- 3.22. In the above respect it is noteworthy that NDMP S5 of the 2026 Framework delineates between the acceptability of development proposals outside of, but 'physically well related to' settlements, relative to those outside of settlements but *not* well related, much favouring the former. Although subject of other circumstances such as a lack of housing land supply, appeals have already interpreted the capacity of 'unmet need' to be broad, including matters such as acute affordable housing need, and therefore the restrictive nature of L1 is likely to run contrary to national policy for the location of new development.
- 3.23. Accordingly, although being tested against the 2024 Framework at Examination, in our view this policy, insofar as its spatial role is concerned, will present a clear practical tension for the purposes of decision-making immediately upon adoption if left unchanged. It should be therefore amended ideally through a comprehensive reassessment to focus down those areas that are genuinely worthy of protection (or indeed can simply be protected by other landscape and ecology policies, such as L3) or otherwise through more flexible language in the policy itself.

4. Housing Need and Supply

- 4.1. Strategic Policy HS sets out that the Local Plan proposes to deliver at least 8,000 dwellings over the period 2025–2045, equal to an average of 400 dwellings a year over the Plan period. Its trajectory suggests this coming forward conservatively at first, at 200–250 dwellings per year in the first five years of the plan, before increasing steadily over the remainder of the plan period.
- 4.2. In practice, therefore, even if the Council were to meet this trajectory, it would deliver just 1,050 dwellings in the first five years of the plan, little over one fifth of its requirement and barely more than the 973-home national standard method requirement within the authority area in a single year. This represents a wholly inadequate approach that will not even begin to meet the need for new homes arising within Torbay.
- 4.3. As set out earlier, these concerns are echoed by the Minister of State, Matthew Pennycook, in his letter of 11 June 2026, and his willingness to intervene in the local plan-making process has been well observed over the course of the previous two years, as is now reflected in the 2026 Framework at NDMP PM2(4).
- 4.4. We have set out previously our concerns that the level of housing planned for is almost entirely aligned with the rates of delivery achieved over the preceding period, yet that rate of delivery came up short even against the less ambitious housing requirement identified in the Torbay Local Plan 2012–2030 before disintegrating almost entirely with the introduction of the new national standard method in December 2024 to yield a housing land supply of just 1.7 years.
- 4.5. It is clear that purposefully aiming for a housing supply that is less than the 495 dpa previously adopted, substantially less than that directed by the standard method, and aligned broadly with a rate of delivery that ultimately yielded a chronic and persistent housing land supply shortfall does not meet the national test of being ‘Positively prepared’ as set out at Paragraph 36(a) of the Framework, nor in practice indeed any of the other ensuing criteria set out at (b)–(d) inclusive.
- 4.6. With respect to the constraints faced by the authority, the Council is right to point out the physical limitations of the authority area’s size and its relationship to the coast, together with real-world considerations such as designated landscapes, protected habitats and areas subject to heightened flood risk. However, in adopting a constraints-based approach to identifying housing targets, it appears that equal attention has been paid to self-imposed constraints that are entirely subjective.
- 4.7. Such constraints include the identified ‘Countryside Area’ and ‘Undeveloped Coast’, which draft Strategic Policy L1 presumes should be protected from development in most circumstances. However, these self-imposed constraints are clearly inconsistent with the need to provide sufficient homes across the plan period, which will necessarily require the release of at least some undeveloped land. It is far better this is done in a planned manner.
- 4.8. There is also an overwhelming need to deliver affordable housing over the plan period with the lack of availability and affordability of housing identified as a key issue facing the area. The previous consultation document identified that currently just 8% of Torbay’s housing stock is affordable, compared to 18% locally, and it is understood that the Council has its own programme for actively delivering affordable sites in an effort to remedy this disparity.

- 4.9. This is set against the backdrop that the Council's supporting evidence shows that over the next 20 years the authority area will need some 9,260 dwellings¹, itself some 123% of the sum total of housing proposed under the emerging plan. Without a proactive approach to substantially increasing the supply of affordable homes, and in a climate of increasing societal polarisation and unaffordability, this pattern is only likely to compound and become worse over time.
- 4.10. As we have set out previously, the draft plan trajectory is also relatively heavily reliant on the delivery of windfall sites of up to 9no. units. While it is appropriate to include this factor in principle, particularly given the acute need to find new homes wherever possible, it should be borne in mind that most such sites will not represent 'major' development in the terms of the Framework and thus will not be obliged to include an element of affordable housing. This factor will thus further reduce the plan's capacity to redress the substantial deficit in affordable homes locally.
- 4.11. In order to meet the tests of national policy, the Plan should be amended to adopt a full housing requirement in line with national policy requirements and the clearly articulated expectations of the Minister of State, with a significantly amended spatial strategy that allows in principle for the planned release of undeveloped land for housing and other development needs.

¹ Torbay Council Housing Needs Assessment, Opinion Research Services, August 2026

5. Sladnor Park, Torquay

- 5.1. Our clients are promoting Sladnor Park, Torquay as a sustainable location for residential development, and are the site's freehold owners. The site has been promoted historically, including at the most recent Regulation 18 consultation, by housebuilder and co-applicant Strongvox Ltd.
- 5.2. The site comprises a former holiday park, with some retained accommodation in the form of timber holiday lodges, a small proportion of which remain occupied for the time being, with much other disused but still physically present built fabric and supporting infrastructure, such that by reasonable accounts the site comprises a mixture of undeveloped and previously-developed land.
- 5.3. The respective proportions of greenfield and brownfield land within the overall extent of control have been agreed with the Council as per the below overlay drawing, with the latter areas mainly contained to the northwest part of the overall holding as shown in yellow. These broadly align with the area exempted from the 'Countryside Area' as shown on the draft Local Plan Proposals Map.

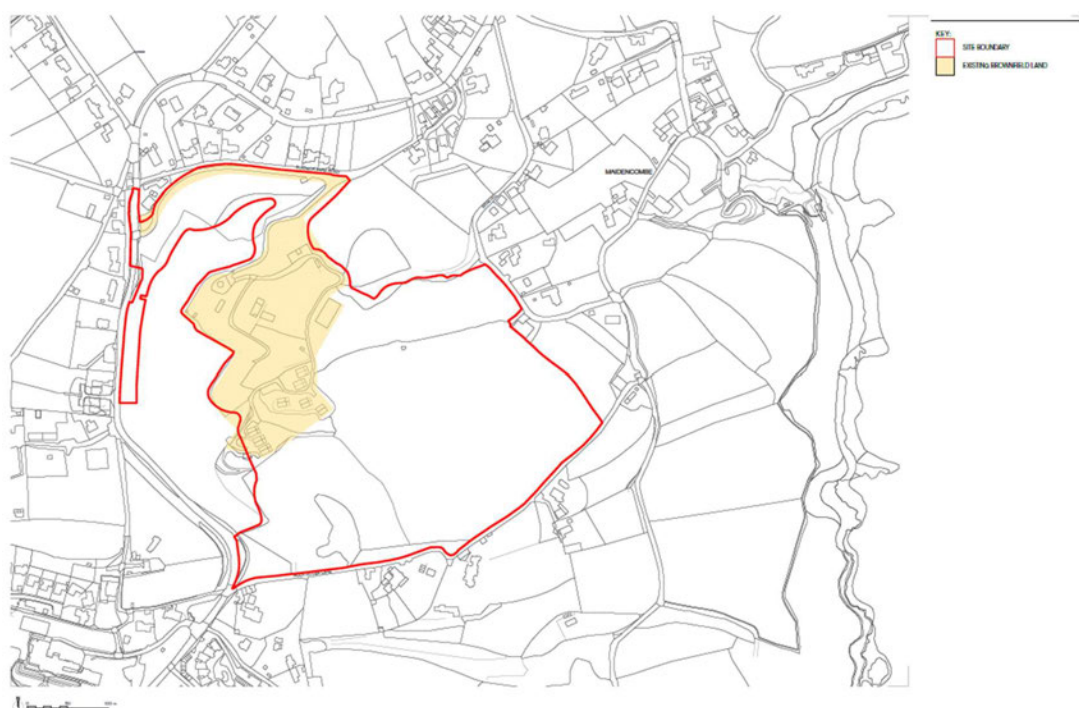


Figure 3: Overlay of Brownfield Land

- 5.4. The site also lies entirely within the 'Undeveloped Coast', albeit the furthest extents of this align with its western boundary with the A379 Teignmouth Road and, in part, the southern boundary with Rock House Lane.

Current Application

- 5.5. The site, excluding undevelopable wooded areas at its northeast and southeast edges, is currently subject of an as-yet undetermined planning application for residential development under ref. P/2025/O353, with the following description of development:
- “Demolition of lodges and construction of 110 dwellings. Adjustment to site access, public open space, landscaping and associated works.”*
- 5.6. At the time of writing, all technical and environmental matters have now been satisfactorily resolved through negotiation with the Local Planning Authority case officer and relevant consultees, save for the completion of a Road Safety Audit (RSA) in relation to the internal access road and resolution of an amended drainage strategy to secure positive surface water management to the site.
- 5.7. This will require the submission of amended drawings, in respect of which it is expected that a full public re-advertising and re-consultation will be undertaken by the Local Planning Authority. Given the proposals’ accordance with current national planning policy, its extant permission, its brownfield status, the lack of a housing land supply locally and the significant benefits arising from development, the principle that the application should be approved subject to the resolution of technical matters is by now well established.
- 5.8. As set out in our previous submissions at Regulation 18 stage, the site offers a prospect for residential redevelopment which:
- Is sustainably located directly adjacent to the settlement boundaries of the authority’s principal settlement, Torquay, and the village of Maidencombe;
 - Comprises a significant proportion of previously-developed land, much of which is degraded;
 - Benefits from an extant planning permission for a similarly scaled development, albeit of a different type of residential accommodation;
 - Has capacity for a range of dwelling types and sizes, to a quantum of development broadly consistent with the draft allocation;
 - Offers considerable opportunities for improved public access and connectivity from, to and through the site;
 - Can deliver strategic landscaping, ecological mitigation and enhancement, to include the provision of 10%+ biodiversity net gain; and
 - Will realise significant financial contributions through planning obligations including a matter of millions of pounds for local affordable housing, local healthcare provision and other infrastructure as reasonably required.

Delivery

- 5.9. In terms of delivery, the site is jointly controlled by an established and respected housebuilder, which as an SME does not sit on sites or bank land; once permission is obtained, Strongvox will actively embark on demolition and construction, subject to

discharging any pre-commencement conditions, and will almost universally build out a site of this scale in a single phase.

- 5.10. It is expected that, together with their respective supporting infrastructure, the proposals could be delivered in totality within a period of c.2 years, making a significant early contribution to housing land supply locally within the short-term, including appropriately phasing contributions to the delivery of already committed affordable housing to reflect local needs.

Submissions of Torquay Neighbourhood Forum

- 5.11. En route to the launch of Regulation 19 consultation the emerging draft Local Plan has passed through the Council's Overview and Scrutiny Committee (8 July 2026), Cabinet (21 July 2026) and ultimately Full Council (23 July 2026). Amongst the Committee papers to the former are the submissions made at that time on behalf of the Torquay Neighbourhood Forum. For ease of reference, these are enclosed at **Appendix 3**.

- 5.12. Aside from setting out generalised procedural concerns, the submission sets out a series of technical considerations the Forum regards as not having been adequately addressed under the emerging Local Plan, although couched as 'infrastructure' these also include net zero and biodiversity matters in addition to sustainable transport and drainage. It appears that the particular focus in relation to these matters are two sites, at Monksbridge and at Sladnor Park.

- 5.13. The comments made in respect of Sladnor Park are reproduced below paragraph-by-paragraph, accompanied by the site owner's comments; as can be demonstrated, the submissions by the Forum regrettably overstate the technical challenges and adverse impacts of bringing forward redevelopment of the site.

"The Steering Group understands that Sladnor Park has been retained at 120 dwellings on the basis of a Consented scheme for a Retirement Village plus a current alternative Planning Application for 110 houses. The increased impermeable surface area from these large scale developments in Sladnor Park poses a significant flood risk to the lower part of Maidencombe, which is a Flood Risk Zone 3. The Torbay Council Drainage Engineers have raised major objections to the current Planning Application. The Application has been paused while the Applicant attempts to address these issues, but the Steering Group believes that they are insoluble for developments of this scale. As the previously Consented scheme has Drainage as a Condition and must meet current standards, we believe that drainage for this scheme also is unresolvable."

- 5.14. As has been set out previously, to all terms and extent the site as existing contains no positive drainage solution and surface water simply follows topography to a single outfall at the southeast corner of the site at Rock House Lane. The proposals for the redevelopment of the site have at all times included a comprehensive strategy for the management of surface water, including storage through a series of both engineered and naturalised features, conveyance and passive treatment measures.
- 5.15. Following extensive dialogue with the Lead Local Flood Authority, the Applicant is currently working to amend the drainage strategy in line with provisionally agreed parameters and, far from being insoluble, this technical matter is entirely resolvable, irrespective of the scale of development. This concern is therefore misplaced.

There is currently no mains drainage in Sladnor Park or most of Maidencombe. Foul waste from a large development in Sladnor Park would have to be pumped up an elevation of 90m to the main sewer outside Brunel Manor on the Teignmouth Road. It is uncertain whether that sewer has the capacity for >100 dwellings. Furthermore, there would be a significant energy consumption for the pump to be working 24/7. There is a major concern about release of raw sewage into Maidencombe and coastal waters should the pump fail. No Exceedance Route has been proposed.

- 5.16. South West Water is a consultee on the current Full planning application and has raised no objection in relation to sewer capacity, the discharge of foul water or in any other regard in its formal response of 4 August 2025. Moreover, as the statutory undertaker SWW has a legal obligation to make a connection available on application.
- 5.17. Pumped solutions are a commonplace measure employed in new development, particularly where topography is variable, and the use of such a system does not undermine the credibility of the site as a sustainable location for development. Modern pumping facilities, subject to correct specification and sizing, are highly energy efficient and the carbon cost of additional energy requirements relative to a gravity-fed system is more than offset by the energy efficiency of constructing modern homes with high levels of efficiency and potential for renewable power generation.
- 5.18. Finally, it is worth noting that development within the lower parts of the site, necessitating a pumping station, promotes the visual containment of the site, focuses on the previously developed areas, and ensures a more efficient use of land. These benefits more than outweigh the energy requirements of a pumping station.
- 5.19. The submission goes on to state that *“This level of development in Sladnor Park does not meet the NPPF criteria for Sustainable Development due to:”* with an ensuing list, addressed hereafter in the same format as the above.
 - *Flood risk*
- 5.20. As set out, an amended drainage strategy is in the process of production following negotiation with the LLFA. It affects very little change in the layout of the site, save for the shape of storage basins and will demonstrably deliver a net benefit during peak weather events.
 - *Non-sustainable transport*
- 5.21. The site is located directly and contiguously between two settlements identified in both the current and draft Local Plans as appropriate locations for growth. It is directly adjacent to the southbound bus stop on the Teignmouth Road and in close proximity to the northbound stop, with proposals to improve pedestrian connectivity to both, to the benefit of incoming occupiers but also those accessing these links from Maidencombe, who do not presently have an off-highway route to these.
 - *No viable safe Active Travel Routes, or compliant site access, infrastructure*
- 5.22. As above, the current proposals will demonstrably create new, safe Active Travel Routes, including both functional and recreational connections. There has never been any indication that the proposed amended site access is considered inherently unsafe, only that the Local Highway Authority wished to see this subject of a Road Safety Audit.

- *High energy consumption (Not Net Zero)*

5.23. There was and is no requirement in the NPPF, at the time of the July submission or in the updated version, requiring that development achieves Net Zero. The energy consumption of modern, efficient homes is typically low and further offset by measures such as solar photovoltaic panels. This is therefore a baseless suggestion.

- *Impact on protected species*

5.24. As confirmed through successive consultee responses, the County Ecologist, in consultation with Natural England, the current application has appropriately addressed all matters relating to protected species and habitats, including the South Hams SAC. There is therefore no case that the site's allocation would lead to harm in this respect.

- *Significant tree felling (Arborologist has raised concerns).*

5.25. The removal of trees within the current application proposals has been kept to an absolute minimum and has focused on achieving an appropriate access through a modified form of the existing route rather than increasing the developable area. Where removals are unavoidable, these will be compensated through additional replanting to be secured through a detailed landscaping plan to be conditioned. Although tree officers will typically object to any tree removal, this is a matter to be considered in the planning balance.

- *The Applicant for P/2025/O353 has already asked for exemption from biodiversity net gain*

5.26. This is factually untrue and it is wholly unclear where the Forum has got this impression. Notwithstanding that this objection appears to stem from the current application rather than the allocation to which the submission purportedly relates, it is clear from the application supporting information, including the Planning Statement, application form, BNG Metric and Ecological Impact Assessment that the proposals will deliver at least the statutory minimum 10% Biodiversity Net Gain, and do so within the site.

5.27. The Forum's submission concludes on the subject of Sladnor Park by stating that *"The Steering Group would support a modest development on the footprints of existing/previous construction corresponding to 16 dwellings and two 10-unit apartment blocks giving a total of 36 units."*

5.28. In the immediacy, it is not explained how the seemingly arbitrary basis for taking such an approach has been arrived at, particularly given the established agreed position on the extent to which the site as a whole comprises previously developed land and likewise the firmly established fallback position of a substantial care facility, the latter being understood to be the basis on which a very reasonable estimated capacity of 120 units was derived by the Council's policy officers in the first instance.

5.29. Moreover, reducing the anticipated yield from the site to the Forum's suggested 36 units would represent such an inefficient use of land as to present a clear conflict with Paragraph 130 of the Framework which states, *inter alia*:

"...Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being

built at low densities, and ensure that developments make optimal use of the potential of each site. In these circumstances:

a) plans should contain policies to optimise the use of land in their area and meet as much of the identified need for housing as possible. This will be tested robustly at examination, and should include the use of minimum density standards for city and town centres and other locations that are well served by public transport. These standards should seek a significant uplift in the average density of residential development within these areas, unless it can be shown that there are strong reasons why this would be inappropriate..."

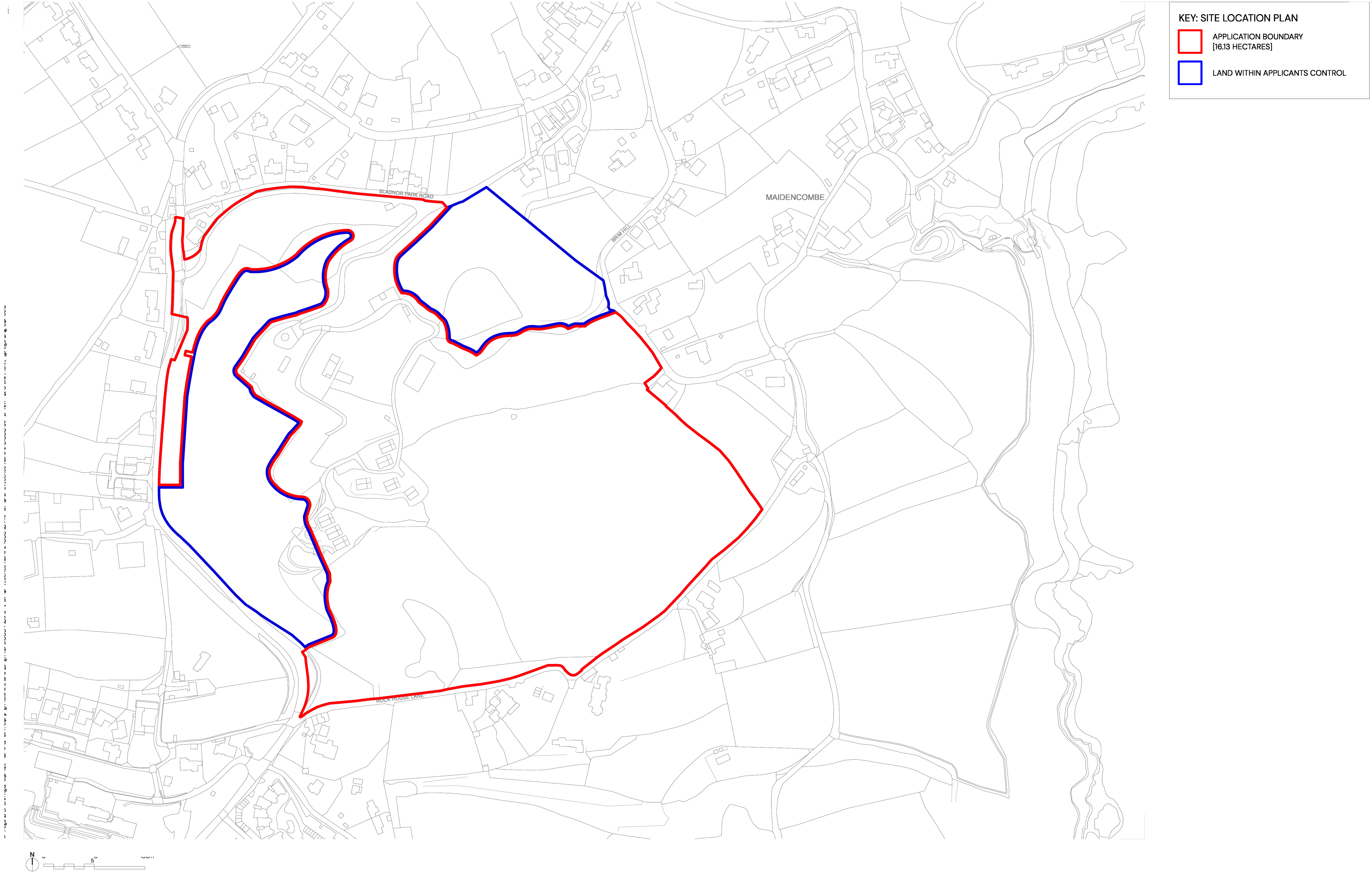
- 5.30. The maximising of the use of previously developed land, and doing so in the most efficient manner possible, is self-evidently a key priority in national policy for plan-making, and the Forum's recommendation to do the exact opposite clearly runs contrary to this and would likely result in this aspect of the Local Plan being found to be unsound.
- 5.31. In practical terms, it is imperative to maximise the number of homes that could be delivered in this location so far as technically and viably possible, particularly in the light of the acute and worsening need locally and the apparent constraints of the authority area. This also translates to the proportionate delivery of affordable homes, in respect of which a financial contribution has been agreed in this instance; it is very unlikely a much-reduced quantum of development could support an on or off-site contribution to affordable housing at all.
- 5.32. It is noted that the Overview and Scrutiny Committee, quite rightly, did not follow the recommendations set out in the Forum's submissions, and that the indicated capacity of 120 units remains intact for the draft allocation. Our client endorses this approach as a reasonable and conservative estimate which will ensure the draft allocation aligns with national policy in this respect.

6. Conclusion

- 6.1. These representations are made by Pegasus Group, on behalf of our client, Gallagher Ventures Ltd, in response to the Regulation 19 Torbay Local Plan 2025 – 2045 consultation. These support the promotion of Sladnor Park, Torquay, for residential allocation and should be read alongside previous representations.
- 6.2. The representations have had regard to the published consultation document and selective draft policies set out therein, accompanying published evidence, and the national and local planning policy context. They provide in-principle support for the Council's approach to their emerging Local Plan and the identification of our client's site at Sladnor Park for residential development of c.120no. dwellings.
- 6.3. Notwithstanding, our client has significant concerns that the scale and locational strategy for growth in Torbay over the plan period lacks ambition and fails to recognise the full extent of development opportunities within the authority area. Specifically, the reliance upon a rate of housing delivery consistent with historical underperformance, and acute shortfall in the supply of affordable homes, is a cause of some alarm.
- 6.4. As set out herein, our client's site at Sladnor Park is already subject of a live planning application for residential development at a scale broadly consistent with the Council's anticipated capacity as set out in the draft allocation, supported by a comprehensive suite of technical supporting information addressing, *inter alia*, the known constraints in this location.
- 6.5. Final technical matters, namely the internal road and drainage strategy, are nearing complete resolution following dialogue with respective consultees, while the current application will ensure that the site can be delivered early in the plan period, contributing to an acute need for new homes, releasing substantial sums into the delivery of affordable homes locally, and supporting what appears to be a very low annualised trajectory in the early part of the plan period.
- 6.6. Given the significant challenges faced by the authority in relation to providing sufficient homes, the clear direction of government including a direct approach from the Minister of State in this respect, and the self-imposed restrictions of the plan's strategic policies as currently drafted, these representations set out why the development opportunity at Sladnor Park represents a sustainable and locally beneficial opportunity for residential development.
- 6.7. If the Council requires any further information in respect of the site to assist in further developing the proposed allocation, this can be provided upon request. Our client is supportive of the Council's intention to proactively progress a new Local Plan, and will contribute to the process to ensure this meets the national tests of soundness. It is trusted therefore that these representations are constructive in this context and that forthcoming opportunities for engagement may be pursued positively.



Appendix 1 – Site Location Plan



SLADNOR PARK, TORQUAY – SITE LOCATION PLAN



Appendix 2 – Letter from Matthew Pennycook MP



Ministry of Housing,
Communities &
Local Government

Matthew Pennycook MP
Minister of State for Housing and Planning

**Ministry of Housing, Communities & Local
Government**
2 Marsham Street
London
SW1P 4DF

Councillor David Thomas
Leader of Torbay Council
Town Hall
Castle Circus
Torquay
TQ1 3DR

11 June 2026

Dear Cllr Thomas,

I am writing to you regarding the emerging Torbay Local Plan 2025-2045, following on from my previous correspondence about this matter in January.

In my last letter, I requested that Torbay Council organise an urgent Advisory Visit (AV) with the Planning Inspectorate, which I was pleased to hear took place in February. The outcome of this AV, however, underlines my concerns about whether the Council is bringing forward a plan which is capable of being found sound.

For a plan to be considered sound it should be positively prepared, justified, effective, and consistent with national policy - providing a strategy which, as a minimum, seeks to meet the area's housing needs.

In November, the Council published a draft local plan for Regulation 18 consultation with a housing requirement that met just 42% of the area's Local Housing Need (LHN), leaving a shortfall of 10,980 homes over the plan period. There appears to be limited up-to-date evidence available to justify the Council's approach.

I am particularly concerned that, despite recent work to re-align your emerging plan with the 2024 version of the National Planning Policy Framework, an up-to-date Housing and Economic Land Availability Assessment (HELAA) has not yet been published. I am also aware that the Council has failed to respond to enquiries from my officials about when this document may be released. Without updated evidence on land availability, it is not possible to reach a conclusion on whether the Council has taken a sufficiently robust approach to the identification of suitable sites for development and, therefore, whether the plan stands a reasonable chance of being found sound at examination.

The Secretary of State has broad default powers of intervention under section 27 of the 2004 Planning and Compulsory Purchase Act which can be exercised where he thinks that a local planning authority are failing or omitting to do anything it is necessary for them to do in connection with the preparation, revision or adoption of a development plan document. I consider that the Council's proposal of a housing requirement which falls well below LHN in its draft plan, combined with the aforementioned lack of published evidence to support this approach, meets the legal threshold for intervention.

I have also considered the criteria laid out in the Planning Practice Guidance (PPG), which states that intervention under section 27 of the 2004 Act *"should have regard to plan progress and local development needs"*:

- **Plan Progress:** Torbay's current local plan was adopted in 2015, meaning the policies it contains are likely to be out of date, and there is a pressing need for the Council to adopt an up-to-date local plan to reduce the area's vulnerability to piecemeal and speculative development. Progressing a plan which may be unsatisfactory risks failure at examination, and further delays whilst the Council begins work on a new local plan in the new plan-making system provided for in the Levelling Up and Regeneration Act 2023.
- **Development needs:** The Council's latest (2023) Housing Delivery Test score was 66%, putting the area into the presumption in favour of sustainable development. There is also an acknowledged shortage of affordable homes in Torbay, which is unlikely to be addressed in the absence of an up-to-date plan. Additionally, the draft plan published for Regulation 18 consultation by the Council does not meet local needs given the low housing requirement it contains.

Taking all of the above into account, I consider that the intervention criteria are met, and that intervention is justified.

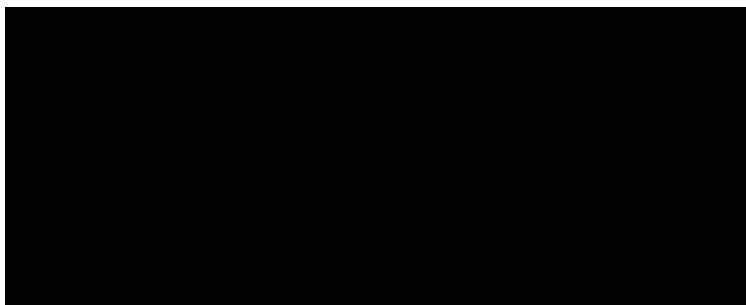
Therefore, I am directing the Council under section 27(2)(b) of the 2004 Act to submit to me all available evidence base documents which inform your conclusion that only 42% of local housing need can be met through your emerging plan. This should include an updated HELAA (including consideration of sites proposed in the most recent Call for Sites in 2025), along with any relevant studies the Council has commissioned on matters such as constraints, residential densities, impacts on National Landscape or other landscape impacts, and any housing-related topic papers that the Council has produced to date.

This information should be provided within three weeks of the date of this letter. Following consideration of the evidence, I will determine whether the further use of the Secretary of State's powers under section 21 and/or section 27 of the 2004 Act is required to make the plan satisfactory.

Notwithstanding this direction, I would like to give you an opportunity to set out by 24 June 2026 any exceptional circumstances which in your view suggest that intervention is not appropriate in this case. To be clear, this neither alters nor removes the direction set out in this letter.

Whilst I hope that the Council will continue to engage constructively with my department, I must be clear at this stage that I will not hesitate to take further action if this request is not complied with.

Yours sincerely,



MATTHEW PENNYCOOK MP
Minister of State for Housing and Planning



Appendix 3 – Submissions of Torquay Neighbourhood Forum



Overview & Scrutiny Board Meeting 08 July 2026

Torbay Local Plan Reg 19 Consultation

This written statement has been reviewed and agreed by the Steering Group of the Torquay Neighbourhood Plan Forum.

The Steering Group cannot support a recommendation to Cabinet to approve this document for publication at the Reg 19 Stage.

The Forum is frustrated that it has been excluded, apart from one meeting, from the Local Plan Working Party throughout the process for developing an updated Torbay Local Plan. We and the other Neighbourhood Plan Fora are responsible for developing the Neighbourhood Plans which should be in harmony with the Local Plan. The Torquay Neighbourhood Plan Forum connects closely with the general Planning operation, and always inputs to the Planning Committee on Planning Applications for Torquay. Our philosophy is to ensure the right development in the right place. We are not 'NIMBY's, and support many Applications. The Neighbourhood Fora should have all been represented on the Local Plan Working Party.

We have major concern about a member of the Local Plan Working Party also being a member of the Broadsands Churston & Galmpton Neighbourhood Forum, and the elimination of Monksbridge (H3BCG.3) from the Reg 19 document. This has the appearance of a significant conflict of interest.

We acknowledge the challenge placed upon Torbay by the Housing Minister, who is clearly out of touch with the realities of the land supply in Torbay. Also, Torquay has been assigned the greatest number of new dwellings for Torbay. At the early stages of the HELAA process, the Forum submitted a workbook offering over 2800 potential housing sites. Not all were taken up by Future Planning.

The Forum submitted a detailed response to the Reg 18 Consultation, and we are aware of a significant number of responses from residents of Torquay. We are not aware of the responses to the Reg 18 Consultation being made public, nor are we aware of how the Local Plan Working Party addressed these responses other than through review of the proposed draft of the Reg 19 proposal in the Agenda pack.

There are a number of key infrastructure considerations that have not been addressed, particularly to the Greenfield sites in the northern rural areas of Torquay. These are:

- Sustainable transport
 - Provision for safe walking and cycling (see Strategic Priority 3)
 - Sufficient public transport
- Drainage
 - Flood risk from surface water drainage
 - Foul drainage – currently no mains drainage
 - Overall Capacity for sewage treatment in Torbay is limited
- Net zero
 - Need for cars
 - Energy for pumping sewage up to 90m to reach the only sewer network.
- Biodiversity



- Protected species: Greater and Lesser Horseshoe Bats, Cirl Buntings and Badgers
- Achieve 10% Net biodiversity gain
- Elimination of grazing land

These considerations apply particularly to sites proposed in Maidencombe, especially when compared with Monksbridge.

	Monksbridge	Maidencombe
Drainage	Flood Risk Zone 2 Connection to mains drainage feasible	Flood Risk Zone 3. No mains drainage
Public transport	#12 Bus daytime every 12 minutes plus Night Bus	#11 Bus hourly, daytime only
Walking and cycling	Safe routes to Brixham. A3022 has a pavement.	Teignmouth Road not safe for walking & cycling. No pavement. Blind bend between Brunel Manor & Moor lane.
Biodiversity	Horseshoe Bats, Cirl Bunting	Horseshoe Bats, Cirl Bunting Can not achieve biodiversity gain

The Steering Group cannot understand the rationale for eliminating Monksbridge but keeping the sites in Maidencombe, particularly Sladnor Park.

Site H3T.1 was assigned for 150 dwellings at Reg 18. The Forum prefers that the site is removed entirely. But with the high demand for houses, we suggested a maximum of 20 being deliverable on the basis of most landowners being unwilling to sell, the infrastructure capacity, and the flood risk to Stokeinteignhead. This would allow for a few infills. Although the reduction from 150 is welcome, we continue to consider that 30 is too high.

The Steering Group understands that Sladnor Park has been retained at 120 dwellings on the basis of a Consented scheme for a Retirement Village plus a current alternative Planning Application for 110 houses. The increased impermeable surface area from these large scale developments in Sladnor Park poses a significant flood risk to the lower part of Maidencombe, which is a Flood Risk Zone 3. The Torbay Council Drainage Engineers have raised major objections to the current Planning Application. The Application has been paused while the Applicant attempts to address these issues, but the Steering Group believes that they are insoluble for developments of this scale. As the previously Consented scheme has Drainage as a Condition and must meet current standards, we believe that drainage for this scheme also is unresolvable.

There is currently no mains drainage in Sladnor Park or most of Maidencombe. Foul waste from a large development in Sladnor Park would have to be pumped up an elevation of 90m to the main sewer outside Brunel Manor on the Teignmouth Road. It is uncertain whether that sewer has the capacity for >100 dwellings. Furthermore, there would be a significant energy consumption for the pump to be working 24/7. There is a major concern about release of raw sewage into Maidencombe and coastal waters should the pump fail. No Exceedance Route has been proposed.



This level of development in Sladnor Park does not meet the NPPF criteria for Sustainable Development due to:

- Flood risk
- Non-sustainable transport
- No viable safe Active Travel Routes, or compliant site access, infrastructure
- High energy consumption (Not Net Zero)
- Impact on protected species.
- Significant tree felling (Arborologist has raised concerns).
- The Applicant for P/2025/0353 has already asked for exemption from biodiversity net gain

The Steering Group would support a modest development on the footprints of existing/previous construction corresponding to 16 dwellings and two 10-unit apartment blocks giving a total of 36 units.

Overall, if the Reg 19 Housing Site proposals were amended as follows, the Forum would support Cabinet approval:

- Maidencombe H3T.1 – 20 units
- Sladnor Park H3T.2 – 36 units
- Monksbridge H3BCG.3 – 30 units

The Steering Group hopes that the Overview & Scrutiny Board agrees with our concerns, and requires the above changes to be made before submission to Cabinet.

Dr R L Horder

Chair

Torquay Neighbourhood Plan Forum



Town & Country Planning Act 1990 (as amended)
Planning and Compulsory Purchase Act 2004

Expertly Done.

PLANNING | DESIGN | ENVIRONMENT | HERITAGE | ECONOMICS | TRANSPORT &
INFRASTRUCTURE | BUILDING SURVEYING | BIODIVERSITY | CLIMATE AIR & NOISE

Pegasus Group is a trading name of Pegasus Planning Group Limited (07277000) registered in England and Wales
Registered Office: 33 Sheep Street, Cirencester, GL7 1RQ