

Torbay Council
planning@torbay.gov.uk

21 May 2026

Dear Sir/Madam,

Pre-application enquiry: Reserved matters application associated with planning application P/2023/0480

We are pleased to submit this pre-application enquiry in respect of a proposed reserved matters application for residential development comprising 77 dwellings at the above site. The scheme includes 50 market dwellings and 27 affordable units with associated access, landscaping and public open space.

The application would be made pursuant to planning application P/2023/0480 which was refused on 01 May 2024 and the subsequent appeal which was allowed on 19 June 2025 (APP/X1165/W/24/3354507). The reserved matters application would confirm matters pertaining to appearance, landscaping, layout and scale. Access to/from the site was fixed by the planning application and subsequent appeal.

The proposed development subject to this pre-application enquiry is within the description of appeal APP/X1165/W/24/3354507, which includes the following:

- 77 dwellings of which 35% are affordable dwellings (27 affordable dwellings in total)
- Areas of open green space including public park, landscaping, biodiversity net gain
- Drainage infrastructure
- Access to/from Copythorne Road as shown on the approved access plan
- Details of the proposed development as shown on the approved framework plan including development parcels, areas of public open space, development height and type, drainage infrastructure and design components

The development has been designed with an emphasis on creating a sustainable and attractive community. Key elements of the proposal include a Local Equipped Area of Play, provision of Public Open Space, strategic and landscaping. These features will enhance biodiversity and provide meaningful amenity space for future residents.

At this stage, we would welcome the Council's view on several aspects of the emerging scheme.



Planning Performance Agreement

Persimmon Homes would consider a Planning Performance Agreement (PPA) with the Council up to determination of the planning application. We would be pleased to discuss the scope and fee for a PPA to ensure it delivers value for money for both parties.

Environmental Impact Assessment and Screening

The proposed development would be delivered within the scope of the description of allowed appeal APP/X1165/W/24/3354507 including capacity of the site, provision of affordable dwellings, access and those items secured by the Section 106 Agreement. We consider that the reserved matters application falls within the parameters assessed by the Environmental Statement submitted with application P/2023/0480 and appeal APP/X1165/W/24/3354507 and that an Environmental Impact Assessment or Screening Request would not be required for the proposed development. We would be grateful if the Council would confirm this position and whether the Council would screen the application on receipt.

Validation requirements

We have reviewed the Council's validation requirements for reserved matters applications and we will agree what is required to validate the application. Some items may be reasonably requested during determination but are not strictly required for validation.

Some or all conditions subject to appeal APP/X1165/W/24/3354507 may be submitted for discharge at the same time as the reserved matters application. As such, the Council should be mindful that the conditions subject to appeal APP/X1165/W/24/3354507 may supersede those on the Council's validation checklist. For example:

- An Archaeological desk-based Assessment (3.2.2) may be superseded by Condition 32 which explicitly requests an Archaeological Written Scheme of Investigation
- The ecology items (3.3.2 - 3.3.4) may be superseded by conditions 24-31 which have site-specific requirements and are explicitly requested.
- A Parking Statement (3.5.1) and Travel Plan (3.5.3) are explicitly requested by conditions 8 and 14, respectively
- The Torbay Sustainability Checklist (3.7.1) and Energy Statement (3.7.2) should be superseded by condition 7 which explicitly require confirmation of site-specific energy efficiency measures
- The requirement for a Flood Risk Assessment (3.6.1) may be superseded by condition 6 (Treatment of surface water) which requires details of surface water management

We request that the pre-application response defines what is reasonably required to validate and determine the planning application.



Affordable dwellings

The proposed development would deliver 77 dwellings of which 35% (27 units) would be affordable dwellings. This is set out in the description of development and the Section 106 Agreement which accompanies appeal APP/X1165/W/24/3354507. We would be grateful for the Council's view on the type and mix of affordable dwellings across the site and any 'clustering' policy which may inform where it is placed within the site.

Design and layout

The principle of development at the site is established by appeal APP/X1165/W/24/3354507. This permission sets out the parameters for development at the site, including location of built development, green infrastructure, access and drainage. It will also deliver the quantum of affordable dwellings set out in the Section 10-6 Agreement associated with appeal APP/X1165/W/24/3354507. The proposed site layout plan reflects those defined parameters and therefore the focus of this pre-application enquiry should be based on matters pertaining to the reserved matters, which include design and layout. For the pre-application enquiry we would be grateful for a view on the following matters:

- Site layout and connectivity
- Parking provision and allocation
- Development density
- Materials and design
- Mix and type of open market and affordable dwellings

Land to west of subject site

We would be grateful for the Council's view on the potential for future development of land immediately to the west of the application site. We would like to understand whether the Council would be open, in principle, to considering this land for development as part of a wider comprehensive approach to the area. This additional land has an approximate capacity of 30 dwellings of which 11 would be affordable dwellings. Access would be taken from the westerly internal road within the site subject to appeal APP/X1165/W/24/3354507.

Conclusion

The proposed development follows the parameters of appeal APP/X1165/W/24/3354507 which establishes the principle of development at the site. The proposed development would be delivered within the parameters of that permission and would deliver much-needed housing, including affordable dwellings, in a sustainable location.



Early engagement with the Council is important to us, and we look forward to receiving your guidance to help shape the scheme as it progresses.

Please let me know if you have any questions or would like to discuss matters further.

Yours faithfully,

Ben Pridgeon | Consultant Planning Manager

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