

# Representations to Torbay Local Plan - Regulation 19 Consultation

Land off Broadpark Road and Land off Statnor Lane, Torquay



## Contents

1. INTRODUCTION	2
2. THE SITE	4
3. BACKGROUND	5
4. REPRESENTATIONS	6
5. SUMMARY	28

Planning Potential Ltd  
Bristol  
Origin Workspace  
40 Berkeley  
Bristol BS8 1HP  
T: 0117 214 1820

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## 1. INTRODUCTION

- 1.1. These representations have been prepared on behalf of Bloor Homes (Exeter) Limited, who have an interest in Land at Land off Broadpark Road and Land off Statnor Lane, Torquay.
- 1.2. The representations are made in response to the Draft Torbay Local Plan 2025 – 2045 – A Landscape to Thrive (Regulation 18), which is currently out for consultation until 2<sup>nd</sup> February 2026.
- 1.3. Bloor Homes consider that the site at Broadpark Road and Land off Statnor Lane should be allocated for residential-led development and that it represents a highly sustainable, logical and accessible development that will meet the pressing housing needs of Torbay. Regarding this, Bloor Homes are in the process of preparing a robust evidence base to support the site's promotion through the Local Plan process.
- 1.4. Bloor Homes are well versed in promoting and developing strategically important sites such as the Land off Broadpark Road and Land off Statnor Lane, Torquay. They are the largest family owned and run housebuilder in the country and are active in Devon with schemes being developed at Pinhoe, Exeter, and Dawlish.
- 1.5. The Torbay Local Plan was adopted in December 2015. This means that it is over 10 years old and in need of review. It is understood that since adoption, Torbay Council have sought to review the Plan on several occasions but have not progressed beyond the evidence gathering stage. The latest iteration, the Torbay Local Plan Update: A Landscape to Thrive commenced work in 2020 with the Local Plan Housing Update Growth Options Consultation (January 2022) and Local Plan Housing Site Options Consultation (October 2022).
- 1.6. However, due to changes to national planning policy, the review was placed on hold during the course of 2023. The Council has since published an updated Local Development Scheme (LDS) (March 2025) with the intention to submit to the Secretary of State on or before December 2026 to ensure that it can be considered as an 'old style' Plan.
- 1.7. The LDS stated that the first stage was proposed to be a Regulation 18 Draft, which was to be placed out for consultation in October 2025. However, the timing of this draft slipped with Consultation on this document occurring between December 2025 – February 2026. The LDS states that this was to be followed by the Regulation 19 Consultation in Spring 2026 with Submission to the Secretary of State in December 2026. An Examination into the Local Plan is anticipated in early 2027 and adoption in spring 2028.
- 1.8. This is a challenging timeframe and it is noted that it is already fallen behind its ambitious milestones.
- 1.9. Whilst the site is not allocated for residential development in the Regulation 18 Draft of the Local Plan, these representations will demonstrate how the site is an appropriate, deliverable and suitable proposition for residential development and that the Local Planning Authority has erred in its approach in not allocating this site as a means of providing new homes in Torbay.
- 1.10. The residential development of the site fully aligns with the vision and strategic objectives of the draft Local Plan. These representations will illustrate how it can help meet the Council's overall housing requirement whilst enabling sustainable growth in Torquay. It will introduce new facilities and provide support for the existing services. The site can be delivered in the short term thereby helping to meet five-year housing land supply requirements while it is not reliant on significant infrastructure. It also considered that site-specific matters relating to landscape impact, open space provision and the relationship with existing infrastructure can be successfully overcome.
- 1.11. Accordingly, the site has numerous benefits:
  - The development of the site will significantly contribute to the overall housing delivery in the early part of the Local Plan period.
  - It has the ability to achieve a comprehensive, high quality residential development.
  - The development of the site will be landscape-led given its sensitive location outside the (current) settlement boundary.
  - It will provide for much needed new market and affordable housing within the Torquay.
  - It will create new employment opportunities through new job creating development that will enable sustainable growth; and
  - New community facilities will be provided together with support for existing services.

- 1.12. The following representations describe the site (Section 2) and policy background (Section 3). Section 4 sets out Bloor Homes' representations to draft Local Plan policies together with suggested recommendations. The representations are concluded by a summary in Section 5.

## 2. THE SITE

- 2.1. The site consists of two areas. The main element, which is the land off Statnor Lane, which is support by an area to the south east, which is accessed from Broadpark Road. Both parts of the site are positioned on the western edge of Torquay. The Land off Statnor Lane is bordered by large, wooded areas (Manscombe and Scadson Woods) to the north and south, albeit the site boundary becomes more open to the north in the second field with views to the north towards Cockington Country Park. The eastern boundary is formed by open fields and to the west by the A380.
- 2.2. The Land off Broadpark Road is to the south east and is smaller in extent but also consists of agricultural fields. It is bounded by mature vegetation.
- 2.3. To the north west of the site sits the Land to the East of Little Cockington Wood site as well as the nearby Occombe Farm, a working farm and visitor attraction with educational and environmental initiatives.
- 2.4. There are no listed buildings on site, it is in Flood Zone 1 and it is not located in South Devon National Landscape (NL). Equally, it is not in a protected ecological habitat.
- 2.5. In the wider surroundings, lies the edge of Torquay, with the nearest residential areas to the site being located on Marldon Road, Shiphay Avenue, and Nut Bush Lane.
- 2.6. Both parts of the site's topography is undulating, with shallow gradients that follow the natural hills and valleys of the wider landscape. The site benefits from a generally open boundary with long-range views across the surrounding countryside and towards the coast to the east.

### 3. BACKGROUND

- 3.1. The Land off Broadpark Road and Land off Statnor Lane, Torquay has been promoted through the earlier iterations of the Local Plan.
- 3.2. In the HELAA, the site was considered to have an 'amber' rating. This meant that the site was considered to have ecological and landscape constraints. That said, it was recognised that landscape impact would be limited due to partial screening created by the nearby woods. As such, it was felt that the site was moderately sensitive in the landscape character area. Accordingly, the site was considered to be suitable and available for housing.
- 3.3. This information was taken forward into the Local Plan Housing Update Growth Options Consultation (January 2022) and Local Plan Housing Site Options Consultation (October 2022), in which the site was considered to be a 'yellow,' which meant that the principle of development could be established via an allocation.
- 3.4. The Housing Update Growth Option Consultation considered a range of five growth options for new housing developments, which were as follows:
  - Option 1 – Brownfield only.
  - Option 2 – Brownfield with some limited greenfield release.
  - Option 3 - Options 1 and 2 but also extensions to the Future Growth Area.
  - Option 4 – Brownfield and Greenfield Options including sites with significant environmental constraints; and
  - Option 5 – All sites.
- 3.5. The Land at Statnor Lane was included within all of the options, except for Option 1, but including Options 4 and 5. Regarding this, only Options 4 and 5 provided sufficient housing numbers to meet the standard method housing requirements figures at that time (2022), and which have now been increased further following the publication of the December 2024 NPPF.
- 3.6. The implementation of Options 1 – 3 would mean there would be an under supply of new housing, which would continue the historic trend in Torbay.
- 3.7. Notwithstanding this, the Council proposed an approach that was focussed around Options 2 – 3. This meant that Land off Broadpark Road and Land off Statnor Lane, Torquay was included in the Housing Options Consultation, however, the site was not taken forward as an allocation in the draft Local Plan.
- 3.8. The above should be viewed in the context of the Council's latest assessment of Five-Year Housing Land Supply, which is from April 2024, and which pre-dates the new NPPF.
- 3.9. Nevertheless, the Council's Five-Year Housing Land Supply Report noted that the Council's requirement was 3,612 homes (including buffer), which related to an average annual requirement of 720 homes. The Statement identified that the five-year supply figure was 1,938 homes meaning the five-year housing land supply position was 2.69 years.
- 3.10. If the new Standard Method is applied – which uplifted the annual requirement from 940 homes annum to 1,128 homes - this would mean that five-year housing land supply position would fall to 1.7 years. This was confirmed in a recent appeal decision, which stated that the Council could only demonstrate 1.72 years.
- 3.11. Therefore, the Council cannot demonstrate a five-year housing land supply but this has been the position for some time and the recent implementation of the standard method has only compounded the matter

## 4. REPRESENTATIONS

### Introduction

- 4.1. This section of the submission sets out Bloor Homes' comments on the draft Torbay Local Plan – Regulation 18 Consultation. It addresses policies throughout the Local Plan and seeks to make comments on the current draft. This might be to improve clarification, to support the policy or to object to its purpose or detail contained therein. Each representation will follow a similar format in that a summary of the policy will initially be provided. This will be followed by commentary on the policy and will be concluded with a recommendation as to how the policy could be improved.
- 4.2. These recommendations are suggested to ensure that the Local Plan is prepared in a way that meets the test of soundness such as:
- They are 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.
  - Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence.
  - 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
  - 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 (National Planning Policy Framework, Paragraph 36).

### NPPF Consultation (December 2025)

- 4.3. While the draft Framework currently holds consultation status, its policies will become a material consideration upon adoption (which is expected later this year). Importantly, policies found to be inconsistent with the revised NPPF will be afforded very limited weight unless examined and adopted under the new system.
- 4.4. Given that Torbay's local plan has not yet reached examination stage, it is essential that the Council anticipates these forthcoming changes. Incorporating the principles and policy direction set out in the NPPF Consultation draft will help ensure the emerging Local Plan remains robust, future-proofed, and capable of meeting the tests of soundness under the new regime. Failure to do so risks misalignment with national policy and could undermine the weight and effectiveness of the plan post-adoption.
- 4.5. As such, key themes that Torbay's Local Plan should integrate with include the Government's ambition to improve density and land efficiency, with density requirements alongside a stronger presumption in favour of sustainable development, while there is greater support for well-connected developments adjacent to existing settlements.

### Shared Vision

- 4.6. Bloor Homes do not object to the Shared Vision, however, they have serious concerns that the Council's approach to the Local Plan, particularly, in relation to the overall housing land requirement will lead to a significant deficit in the amount of housing that should be delivered during the plan period.
- 4.7. At Paragraph 1.2, it is stated that the Plan contains a strong Presumption in Favour of Urban Regeneration. Bloor Homes are concerned that the Council have mis-interpreted the presumption in favour of sustainable development, which is a golden thread that runs through the NPPF. The replacement of sustainable development and urban regeneration will artificially limit development to existing areas and is therefore considered fundamentally unsound.
- 4.8. The impact of the Local Plan approach can be seen in the average number of dwellings per year being sought. This figure is 400 homes per annum, albeit it is recognised that this is a minimum. However, this figure is significantly below the figures set out in the Council's own Five-Year Housing Land Supply Report, which identified a requirement of 720 homes per annum, whilst if the Standard Method is applied, the annual requirement would be 1,128 homes, that is nearly three times the figure set out in the Local Plan.

- 4.9. The Council adopted a similar approach to the adopted Local Plan, which only few years after adoption saw the Council being unable to provide for a five year housing land supply. This situation has prevailed for many years and the approach to the draft Local Plan will continue the situation that not enough new housing is being delivered within Torbay and the resulting negative<sup>3</sup> impact this has on social mobility, homelessness and ageing population.
- 4.10. The concern is that the Local Plan Inspector, leading up to, and at, the Local Plan Examination, will seek the Council to review, revise and reframe the Local Plan. This will delay its progress and thus the delivery of development, especially new housing, which is key to the future of Torbay.
- 4.11. The approach that has been adopted to date is inconsistent with national guidance contained within the NPPF and PPG. Accordingly, Bloor Homes urge the Council to review their position on this significant issue. It is clear that there is a need for a much greater level of housing than is currently identified and that the Local Plan in terms of its vision, strategic objectives and spatial strategy should reflect this requirement. Unless it does so, it cannot be considered to be positively prepared, justified, effective or consistent with national policy
- 4.12. As indicated elsewhere in these representations, the overall housing requirement will not meet the needs of Torbay. At the very least, it needs to reflect the standard method for calculating housing need and, this is clearly not the case. There is justifiable need for additional housing sites to be allocated not only to meet overall need but also to supplement and support sites that were allocated in the previous Local Plan that have not come forward and are unlikely to come forward from the figures suggested. Indeed, Paragraph 1.53 states that the current approach will require a significant uptick in urban regeneration and increased urban living. There is a particular need to boost the supply of affordable housing.
- 4.13. This will not be achieved by the Council's approach as set out in the Shared Vision and Strategic Priorities. Furthermore, there does not appear to be any recognition of housing requirement within the wider sub-region and that Torbay might be required to meet unmet housing need for neighbouring authorities.
- 4.14. Whilst the Council's approach to housing is flawed and fails the tests of soundness, it can be addressed though the allocation of additional housing sites as the Local Plan moves forward. Land off Broadpark Road and Land off Statnor Lane , Torquay is one such site that could be allocated to meet housing need. It presents a unique opportunity to help Torbay to meet its housing needs whilst aligning with the Shared Vision and Strategic Priorities.
- 4.15. In terms of the strategic priorities, Bloor Homes does not wish to make comments on each. However, they are supportive of the thrust and general direction of the priorities such as boosting the supply of affordable housing, improving the energy efficiency of new developments, and existing buildings, to reduce the reliance on fossil fuels and the impact of rising utility bills on poverty, and building enough houses to give all Torbay residents a chance of a decent home.
- 4.16. However, it is considered that there is disconnect between the objectives of Strategic Priority 5: Build Better Communities with the Homes, Spaces and Opportunities that People Deserve and the mechanisms being proposed to meet these objectives. For example, to build enough homes to give all Torbay residents a change of a decent home, there will need to be a fundamental shift in the approach adopted by the Council
- 4.17. Bloor Homes' concerns regarding the Council's overall approach to the location and provision of development, particularly housing, are expressed elsewhere but in order to meet this objective there will likely be a requirement to find many additional residential development sites in Torbay. As Paragraphs 61 and 62 in the NPPF state:

*'To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet an area's identified housing need, including with an appropriate mix of housing types for the local community.'*

*'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.'*

- 4.18. Land off Broadpark Road and Land off Statnor Lane, Torquay will help meet this objective through being a sustainable location for development (thereby reducing carbon and other greenhouse emissions) that will provide for a variety of tenures, sizes and forms to meet future needs of Torbay residents.

#### *Recommendation*

- 4.19. Bloor Homes support the Shared Vision and Strategic Priorities, but this is heavily caveated within the overarching requirement to provide for more new housing than is currently provided for in the draft Local Plan. The approach adopted by the Council will artificially limit suitable, logical and sustainable sites from coming forward given the stated overall housing requirement of 400 homes per annum and the presumption in favour of urban regeneration.
- 4.20. This approach will result in the Council not building enough homes to give all Torbay residents a chance of a decent home (Strategic Priority 5). As currently drafted, the supporting text which informs the Shared Vision and Strategic Priorities does not meet the test of soundness. The draft Local Plan is not positively prepared, justified, effective or aligns with national policy.

#### *Strategic Policy SS1: Torbay Growth Strategy - Prioritising our communities through improved health, housing, place making and opportunities for all*

- 4.21. This policy sets out the strategy for growth within the Local Plan area. It is based on the Council's Corporate Plan, which identifies a series of priorities to be met in relation to people, pride in place and economic growth. Regarding these, Bloor Homes support the policy direction. This is also true for the general aspirations set out in the spatial strategy, for instance, Bloor Homes agree that all development should contribute to safeguarding the area's natural and built environment whilst proposals should make full and appropriate use of opportunities for low carbon and renewable energy technologies, consistent with the need to reduce Torbay's carbon footprint, and provide resilience to climate change.

- 4.22. However, where Bloor Homes does object is the number of new dwellings proposed over the Local Plan period. Policy SS1 states that:

*'The Plan also seeks to deliver at least 8,000 new dwellings over the Plan period of 2025-2045 equal to an average of around 400 dwellings a year over a 20-year Plan period'.*

- 4.23. This overall housing requirement for the Local Plan period is wholly inadequate. To put this into context, the previous Local Plan identified land for housing delivery at an average of 495 homes per annum, equating to about 8,900 new homes over the Plan period of 2012 - 2030. This means that the Council are seeking to reduce their overall housing requirement from the previous plan period, which could be an appropriate approach if that overall housing requirement had been met or exceeded, that the Council could demonstrate a five year housing land supply and that it had performed against the housing delivery test criteria.

- 4.24. However, they did not. The Council can only currently demonstrate less than 2 years' worth of supply whilst its housing delivery tests results are 66% meaning the presumption in favour of sustainable development applies. This has been the longstanding position in Torbay where it has consistently underperformed in terms of building new housing. Therefore, the Council's approach to reduce the number of homes required during the emerging Local Plan period would appear to be perverse given that not only is there a need to meet future demand but also the requirement to make up for its deficit over the past 5 – 10 years.

- 4.25. The Council's approach to this matter seems all the stranger when it is a stated government aim to improve the delivery of housing. The NPPF states, at Paragraph 61, to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed and the overall aim should be to meet an area's identified housing need, including with an appropriate mix of housing types for the local community.

- 4.26. The Framework continues, in Paragraph 62, by stating 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. It is clear that this has not occurred with the Local Plan. The Plan states at Paragraph 2.3:

*'This is below the government's Local Housing Needs target (of 950 dwellings a year) but seeks to maximise the delivery of homes within Torbay's significant environmental and infrastructure limits, and high level of constraint'.*

- 4.27. It is therefore accepted by the Council that they have not followed national guidance but it is suggested that the fact that there are environmental and infrastructure constraints means that the Council is justified in providing for a substantially lower figure.
- 4.28. It is accepted that there are constraints in Torbay – as there are in many local authorities within the South West - but not to the extent that the Local Plan should be setting a target that is less than 50% of the stated local housing needs target and one that is less than the previous adopted Plan, which was not produced in the context of national guidance that is seeking to boost housing delivery significantly.
- 4.29. There are limited circumstances where a local planning authority can divert from the standard method figure as a starting point for the overall housing requirement, for example, where data required for the standard method is not available or do not align with strategic plan boundaries. These examples do not apply to Torbay and a review of the Policy SS1 and the supporting paragraphs does not provide any compelling evidence as to why the standard method should not be followed; a local planning authority cannot simply disagree with the standard method.
- 4.30. This is critical as the Local Plan Inspector will scrutinise alternative approaches closely at examination, as they need justification and evidence. Bloor Homes does not consider this is the case in this instance.
- 4.31. Whilst it is recognised that the Council considered different alternatives in the Local Plan Housing Update Growth Options Consultation (January 2022) and Local Plan Housing Site Options Consultation (October 2022), it is noticeable that the option chosen to be taken forward into the Local Plan is one that does not optimise housing delivery. This is frustrating as there are sites that are available within the Torbay area that have not been allocated and can provide for much needed housing growth. One example is Land off Broadpark Road and Land off Statnor Lane, Torquay , which would not result in either landscape or ecological harm and is well located to the existing settlement boundary. However, it has not been allocated, as the Council approach has sought to limited further greenfield development and focus on already allocated sites with some additional extensions to the future growth areas.
- 4.32. This approach is flawed. Not only is there no justification for the overall housing requirement to be substantially lower than the standard method and that no compelling evidence has been demonstrated by the Council as to why it should be lower (given that the limited circumstances where a different figure can be used do not apply here), it is also the case that some of the allocated sites are clearly not deliverable.
- 4.33. For instance, both the Future Growth Area at Torquay Gateway and Collaton St Mary were allocated within the previous Local Plan. However, neither have come forward for development with Torquay Gateway not even being the subject of a substantive application in that period. It is understood that neither site has delivered any housing as yet, therefore, to continue to allocate these sites for significant amounts of new housing (which go some way to making up the overall requirement) would suggest that even the 8,000 dwelling figure is not achievable.
- 4.34. This will further exacerbate the housing delivery position within Torbay. This will mean that warranted concerns regarding addressing the ageing population, homelessness and social mobility will continue throughout the Local Plan period. The Council's approach clearly does not meet the tests of soundness. Policy SS1 is not:
- Positively prepared – The Plan provides for less than 50% of the required overall housing need based on the standard method.
  - Justified – There are no reasons provided as to why the Council should divert from the standard method and, at the very least, it should seek to optimise all viable housing sites. However, the Council has failed to do this, for example, Land off Broadpark Road and Land off Statnor Lane, Torquay is not constrained but is not allocated for development.
  - Effective – The Council is relying on allocations that have not delivered for over ten years and have no prospects of doing so during the plan period; and
  - Consistent with National Policy – the Local Plan's overall housing requirement is contrary to the guidance set out in the Framework and in the Planning Practice Guidance.

*Recommendation*

- 4.35. This policy needs to be fundamentally re-drafted. The Strategic Priorities are supported by Bloor Homes but the approach to the overall housing requirement should be re-visited. It is recognised that there are constraints to housebuilding in Torbay such as topography and landscape designations, however, at the very least the Council should seek to optimise all available housing sites that are not sufficiently constrained and allocate them for development such as Land off Broadpark Road and Land off Statnor Lane, Torquay . Any alternative approach such as the one adopted will exacerbate the housing issues that have been present in Torbay for many years. Therefore, the overall housing requirement should be significantly uplifted.
- 4.36. It is also suggested that allocations from the previous Local Plan should not be relied upon. It is clear that these sites are difficult to develop and the prospects that they will be delivered during the plan period are slim. Given that they account for a significant proportion of the overall housing requirement, there is a need for additional sites to be brought forward given the high likelihood that the allocated sites will not be built out for housing. If such alternative sites are not allocated, then housing delivery will fall even further behind.

*Strategic Policy SDT2: Torquay Gateway – A sustainable growth hub for homes, jobs and nature*

- 4.37. This policy advises that Torquay Gateway (also referred to as Edginswell) is allocated as a Future Growth Area. It states that development is expected to deliver, among other things:
- Around 400 new homes of which at least 30% should be affordable.
  - Mixed use employment space, with at least 25% of the area provided as Class E(G), B2 or B8 employment; and
  - Improved sustainable transport infrastructure including a new train station at Edginswell and park and ride/transport hub at, or close to, Gallows Gate.
- 4.38. The supporting text to the policy notes that the allocation has rolled forward from the Torbay Local Plan 2012 – 2030 and that a masterplan was produced in 2016.
- 4.39. The retention of this allocation within the emerging Local Plan does not meet the test of soundness. As set out in the representation to Strategic Policy SS, the allocation is not effective as it is unlikely to deliver new housing, new employment space and/or the new transport infrastructure.
- 4.40. The site has been allocated for development for over 10 years and was the subject of additional technical work in the form of the masterplan in 2016. Despite this development has not come forward. It is understood that the site was under option to a regional housebuilder for several years and they actively sought to develop the site; appointing a Consultant Team, working closely with Council Officers and engaging with key stakeholders such as Homes England.
- 4.41. Notwithstanding this work, it became apparent that the constraints facing the site would be very difficult to overcome. The main constraint being the site's topography which is not only steep in places but is also multi directional meaning that the engineering challenges to secure any form of viable development were significant. Indeed, it is understood that the regional housebuilder has let their option lapse and the site is back on the open market. This is a very unusual situation and one that demonstrated the viability challenges facing the site.
- 4.42. It is also noted that there is a requirement to provide for employment space on the site. This will further bring into question the site's viability and whether it can be relied upon to delivery much needed new housing.
- 4.43. Nevertheless, these site constraints and viability concerns do not appear to have been taken in to account by the Local Planning Authority in their allocation of the site. It appears that there has been a slight reduction in the site' capacity and less infrastructure requirements but the site will still be required to provide for 400 new homes, employment space and transport infrastructure (although Strategic Policy H2 states that Torquay Gateway is to provide for 350 dwellings).
- 4.44. The history of the site demonstrates that this is not achievable and that 400 homes will not come forward meaning that there will be a (further) deficit in the overall housing land supply, meaning that the Local Plan housing requirement will not be met (even though it is significantly below where it should be). At best, this site could accommodate approximately 200 new dwellings given its topography but that any additional requirements would have to be removed to ensure its viability to even deliver this number of homes.

4.45. Given this, it is clear that additional sites should be allocated within the Local Plan. Taking into account, our representation into Strategic Policy SS1 regarding the overall housing requirement, together with the fact that sites such as Edginswell will not deliver the number of homes suggested, there is a need for sites such as Land off Broadpark Road and Land off Statnor Lane, Torquay to be allocated. This site does not have the constraints of Edginswell and will be able to provide for a similar number of dwellings.

#### *Recommendation*

4.46. It is considered that the allocation for Edginswell should not be taken forward into the Local Plan given its history and lack of delivery. If it is considered that it should be retained then its site capacity should be significantly reduced to a figure that realistically reflects the topographical and engineering challenges facing the site. This reduction in capacity will put further pressure on the housing land supply and delivery, which can only be rectified with the allocation of additional housing sites.

#### *Strategic Policy SDP4: Collaton St Mary – Sustainable growth in a connected village*

4.47. The policy identifies Collaton St Mary as a Future Growth Area and expects development to deliver, among other things:

- Around 600 new homes, of which at least 30% should be affordable.
- Improved sustainable transport routes including bus and cycling facilities along the A385 Corridor.
- Improved community facilities and strengthened village centre focussed on the east of the Future Growth Area; and
- Mixed-use employment space, with at least 25% of the site provided as Class E(g), B2 or B8 employment.

4.48. The supporting text confirms that this allocation has been rolled forward from the Torbay Local Plan 2012–2030 and that a masterplan was prepared for the site.

4.49. The retention of the Collaton St Mary allocation fails the test of effectiveness, as there is no clear evidence that the site is deliverable over the plan period. As set out in our representation to Strategic Policy SS1, the site is unlikely to deliver the proposed level of housing, community facilities and strategic transport infrastructure.

4.50. The site has been allocated for development for over ten years and was subject to detailed technical work through the 2016 masterplan. Despite this prolonged allocation and active promotion by a housebuilder, only part of the site has come forward for development. A scheme for approximately 100 homes secured planning permission but has not yet been built.

4.51. It is clear through the work undertaken that the constraints affecting the site would be extremely difficult to overcome. The principal constraint is the site's steep topography. This creates substantial engineering challenges and has a severe impact on development viability. The fact that no development has occurred despite their being Reserved Matters approval is highly unusual and provides compelling evidence that the site is not realistically deliverable in its currently allocated form.

4.52. Despite this history of non-delivery, the Local Planning Authority has retained the allocation with only limited adjustments. The site is still expected to deliver approximately 600 dwellings, new community facilities and major transport infrastructure. This approach does not reflect a realistic or effective strategy for delivery.

4.53. The allocation is also not justified, as it is not based on a proportionate or robust assessment of reasonable alternatives. The evidence demonstrates that the site's physical constraints and viability challenges fundamentally limit its capacity. At best, the site could realistically accommodate around 200 dwellings. Even this reduced level of development would require the removal of additional policy burdens to ensure viability.

4.54. There is no clear justification for continuing to rely on Collaton St Mary to deliver 600 dwellings when the site's history and technical constraints demonstrate that this is not achievable. Persisting with an unrealistic capacity figure risks a significant shortfall in housing delivery and undermines the credibility of the Plan's housing trajectory.

4.55. By continuing to rely on an allocation that has consistently failed to deliver, the Plan cannot be considered positively prepared. The likely under-delivery from Collaton St Mary will contribute to a further deficit in housing land supply, meaning that the Local Plan will fail to meet housing needs, particularly when the overall housing requirement is already set at a level significantly below what it should be when considering the standard method figures.

- 4.56. A positively prepared plan must be based on sites that are demonstrably deliverable and capable of contributing meaningfully to housing supply. In this context, there is a clear need to allocate additional, unconstrained sites to ensure that housing needs are met in full.
- 4.57. Taking into account our representation to Strategic Policy SS1 on the overall housing requirement, together with the clear evidence that Collaton St Mary will under-deliver, the Local Plan must allocate alternative sites. Land off Broadpark Road and Land off Statnor Lane, Torquay represents a suitable and sustainable alternative, without the significant topographical and engineering constraints that affect Collaton St Mary and is capable of delivering a comparable number of dwellings within the plan period.

#### *Recommendation*

- 4.58. For the reasons set out above, it is considered that the Collaton St Mary allocation is unsound and should not be carried forward into the Local Plan. If the allocation is retained, its capacity must be significantly reduced to reflect the site's physical and viability constraints. Any such reduction would place additional pressure on housing land supply, which can only be addressed through the allocation of additional, deliverable housing sites, including Land off Broadpark Road and Land off Statnor Lane, Torquay .

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

- 4.59. As referenced in the Spatial Strategy section, this policy reiterates that it is proposed for the Local Plan to deliver at least 400 dwellings a years or 8,000 over the plan period. It also notes that there will be a presumption in favour of sustainable development to previously developed land within the built up-area.
- 4.60. It continues by detailing how new housing is to be delivered within the built up-areas together with the identified areas for regeneration within the existing settlement boundary. However, it states that major greenfield development outside of the built-up area or Future Growth Areas will be resisted, unless brought forward through a Neighbourhood Plan or area allocation development plan document, or meets the requirements of the Affordable Housing Exceptions Sites Policy H8.
- 4.61. Bloor Homes strongly object to this policy for several reasons.
- 4.62. First, they object to the overall housing requirement identified by the Council for the plan period. The representations to Strategic Policy SSI clearly set out Bloor Homes' view that figure is wholly inadequate and that there is an urgent need for the allocation of additional sites to meet the pressing need for new market and affordable housing in Torbay, as represented by the deficit in the current five year housing land supply demonstrated by the Council.
- 4.63. This figure is 50% of the identified requirement as set out by the standard method and is even lower than the figure provided for in the last adopted Local Plan. It is accepted that Torbay suffers from topographical, ecology and landscapes but none of these factors justify an overall housing requirement that is so clearly below what is needed. There are limited conditions for presenting a lower overall housing figure than the standard method but these have not been met in this instance.
- 4.64. No justification has been provided in the Local Plan for why the overall housing requirement is so low. It is noted that the Council accepts that it requires robust justification for their approach but that this is going to be in a forthcoming Topic Paper. This is a perverse approach: the Topic Paper (or wider evidence base) should inform the approach to be adopted. Accordingly, the Council should ensure that the Topic Paper does not 'retro - fit' its evidence to support the overall housing requirement.
- 4.65. The Council should be adopting a much more positive approach to bringing forward housing sites as indicated in a series of their evidence base documents such as the Housing Growth Paper. There are sites available such as Land off Broadpark Road and Land off Statnor Lane, Torquay that are not constrained and can be brought forward at pace, but these have been ignored by the Council in favour of similar approach to that adopted in the last Local Plan. This approach has seen a significant under delivery of new housing during the plan period, a series of appeal decisions that have allowed housing on non-allocated sites, and a resulting housing crisis within the area.
- 4.66. The policy also repeats the phrase 'presumption in favour of sustainable development to previously developed land within the built up-area'. This mis-interpretation of the presumption as set out in the Framework at Paragraphs 10 and 11, where there is no reference to sustainable development being limited to urban regeneration or previously developed land within the built up-area. This is clearly wrong and should be amended to reflect the reference in the NPPF.

- 4.67. By doing so, it will allow the Council to consider sites outside the settlement boundary that meet the presumption in favour (as set out in the NPPF) such as Land off Broadpark Road and Land off Statnor Lane, Torquay .
- 4.68. At present, the policy seeks to resist major greenfield development outside of the built-up area or Future Growth Areas unless brought forward through a Neighbourhood Plan or area allocation development plan document. Given the Council's current five year housing land supply position and the fact that the draft Local Plan does not appear to address the significant under supply in recent years, the proposed prevention of major greenfield sites from coming forward is irrational.
- 4.69. There are sites that have been promoted through the Call for Sites process, which are clearly available, suitable and deliverable for housing but as they are not in the settlement boundary or a Future Growth Area, they have been excluded from the Plan. These sites will be able to help meet the objectively assessed housing need for Torbay but given the direction of travel of the draft Local Plan have not been included and have a presumption against development (as a result of this policy). As set out above, this policy direction will only mean that the persistent under delivery of housing will continue within Torbay even though these sites are sustainable, accessible and meet the wider objectives of the Local Plan in terms of landscape protection, energy efficient and affordable housing provision.
- 4.70. The non-allocation of sites such as Land off Broadpark Road and Land off Statnor Lane, Torquay is contrary to the guidance set out in the NPPF and means that this policy does not meet the test of soundness. The policy is not positively prepared, it is not justified, effective or in line with government objectives.

#### *Recommendation*

- 4.71. Bloor Homes object to this policy. It should be redrafted in relation to the following points:
- The overall housing requirement should be reviewed and supported and justified by a robust evidence base.
  - The presumption in favour of sustainable development of urban regeneration should be deleted to ensure that any reference is fully compliant with the NPPF; and
  - The presumption against major greenfield development should be excluded where such sites align with the presumption in favour of sustainable development (as set out in the NPPF) and are able to help meet the overall housing requirement.
- 4.72. At present, the policy does not meet the test of soundness.

#### *Strategic Policy H1: Town Centre Regeneration Areas*

- 4.73. Bloor Homes supports the thrust of Strategic Policy H1 in relation to the promotion of the regeneration of the town centres, promotion of good design, and the focus on providing a high-quality environment. However, Bloor Homes would question the level of development proposed or yield proposed for each of town centre regeneration area. The site capacity figures provided for each town centre regeneration area would seem to be high notwithstanding the focus on high density development.
- 4.74. Indeed, this is recognised in Paragraph 3.18, which states more detailed assessments will come through master planning or neighbourhood plans. Whilst some of these sites will be mixed use developments including ground floor commercial use where viable and some are within conservation areas or other designated heritage assets. Given this, these factors will likely have an impact on site capacity.
- 4.75. This issue is highlighted because this will impact on the overall number of dwellings that we come from this source. Bloor Homes' views on the overall housing requirement are set out elsewhere but it is clear that if these urban regeneration areas do not deliver the number of dwellings outlined in the draft Local Plan, then this will place further pressure on housing need and housing land supply. This further supports the view that additional sites outside the settlement boundary and Future Growth Areas should be allocated for residential development.
- 4.76. Allied to this, is that such sites are also difficult to bring forward. This is because there is a higher level of potential constraints in relation to their potential development such as land ownership issues, residential amenity, contamination and existing utilities. These factors all impact on the delivery of such sites and therefore the reliance on the number of dwellings that will come from this source. Bloor Homes' concern is that the urban regeneration areas will not supply the number of homes as suggested in Strategic Policy H1 thereby exacerbating the existing housing pressures in Torbay.

### *Recommendation*

- 4.77. Bloor Homes considers that Strategic Policy H1 in its current form is not justified nor is it effective. Robust supporting evidence needs to be produced for each of the identified sites to indicate the anticipated site capacity. Only once they have been assessed in detail can this source of housing supply be considered realistic and contribute to the overall housing requirement.
- 4.78. Furthermore, any reliance on the urban regeneration should be tempered by the delivery issues that often affect brownfield redevelopment opportunities. To ensure that there is a robust approach to housing supply, the urban regeneration area should form only one part of overall supply and that – together with Future Growth Areas – should be supported by additional site allocation on greenfield sites such as Land off Broadpark Road and Land off Statnor Lane, Torquay , which meet sustainable development tests.

### Strategic Policy H2: Future Growth Areas

- 4.79. Bloor Homes' concerns regarding the deliverability and the effectiveness of the Future Growth Areas is set out in our representation to Strategic Policies SS1, SDT2 and SDP4 and are therefore not repeated here. That said, it remains Bloor Homes' view that each of these policies should be redrafted given these sites' history of non-delivery and the significant constraints facing their development. As stated, the Council's approach to the Future Growth Areas severely threatens the overall soundness of the Plan given their central role in helping meet the overall housing requirement.

### Strategic Policy H3: Other Local Plan allocated sites

- 4.80. This policy allocates a series of sites for housing. Bloor Homes objects to this policy on the grounds that it does not include Land off Broadpark Road and Land off Statnor Lane, Torquay .
- 4.81. This site lies on the western edge of Torbay, adjacent to the A380 South Devon Expressway. Its location and strong connections to existing residential neighbourhoods and nearby local services make it a logical and well-positioned opportunity for strategic housing growth. The site offers the potential to contribute to the borough's housing supply while benefiting from excellent transport links and accessibility.
- 4.82. It is also free from many constraints. It is not in the National Landscape, Green Belt, a Local Green Space, a National Park or defined as Heritage Coast, it does not contain a designated heritage asset and neither is at risk of flooding or coastal change.
- 4.83. The site is in a semi-rural location but is strategically well placed within Torbay to benefit from the area's extensive public-transport connections, and the wide range of employment, education and leisure opportunities available across the Bay. The Vision Document, which accompanies these representations has been prepared to demonstrate how the site could be developed.
- 4.84. Given the site's location to the west of the built-up area of Torquay, it forms a logical location for new, landscape-led residential development. The land off Broadpark Road and Land off Statnor Lane, Torquay is well contained by Cockington Wood to the north as well as existing hedgerows, trees and planting, with a strong field pattern providing enclosure to individual parcels within the site. There is limited visibility from the South Devon National Landscape whilst where there is an impact of local countryside this has been mitigated through the masterplan in terms of the layout of the built development, the introduction of new planting, and the provision of significant levels of green infrastructure in the south
- 4.85. Initial appraisal work has identified there are no physical or environmental constraints that would delay or preclude the development of the site. The whole site is under the control of Bloor Homes, who are a national housebuilder. The site is a greenfield site (but is not subject to any designations), which means that there are no viability concerns, and the site is not subject to any known legal, physical, or environmental constraints that might otherwise affect development. As such, it represents a viable development option with a realistic prospect that new homes could be delivered within five years. Residential development therefore represents a viable future use for the site.
- 4.86. The proposed development would therefore comprise:
- New high quality new homes with a range of house types, tenures (including affordable provision).
  - Significant areas of green infrastructure that will run through its southern areas. It will be managed to maximise biodiversity and create new ecological habitats.

- Community green spaces and recreational opportunities will also be created including the potential for a range of natural play facilities scattered throughout a 'playable landscape', orchards and allotments; and
  - A network of active travel routes and leisure trails would permeates through the development connecting it with the existing nearby settlements.
- 4.87. New development will be nestled within the existing landscape, connected by active travel corridors and with the community hub and recreational facilities meeting the day-to-day needs of residents. As demonstrated in the Vision Document, the proposals for the site aim to achieve a place for people and nature in harmony. Much of the site will be left as landscape with existing fields, hedgerows and woodlands being integrated into the development. This will lend the site an identity rooted in its landscape and provide residents, workers and visitors a sense of well-being and connection to the environment.
- 4.88. The site will be designed to ensure that cars do not dominate the environment and people have sustainable and low-carbon transportation choices that are convenient and viable. Roads will be demoted in the overall movement hierarchy and active travel corridors set within greenways will form the primary infrastructure, encouraging cycling, walking and healthy lifestyles.
- 4.89. The site is suitably and sustainably located for the development of a new low carbon and energy community. In addition to those onsite, there are good opportunities for accessibility to local services and facilities via sustainable transport modes.
- 4.90. The Vision for the site will be expanded is to create a new type of community set within extensive nature-rich green spaces to the west of Torbay. The site will be a well-connected new development that will have its own distinctive, contemporary identity based on its unique landscape heritage.

#### *Recommendation*

- 4.91. Bloor Homes objects to this policy. The Land off Broadpark Road and Land off Statnor Lane, Torquay should be included in the list of allocated sites for the reasons set out above.

#### *Strategic Policy H7 – Affordable Housing*

- 4.92. Strategic Policy H7 considers affordable housing provision. The supporting text to the policy notes that there is a high level of affordable housing need in the district, with only a small proportion of the housing stock made up of affordable housing. The policy specifies affordable housing requirements for different size developments; the tenure mix and integration with market housing. It states that to foster balanced and mixed communities, affordable housing will be required on all developments above a certain size.
- 4.93. If the Land off Broadpark Road and Land off Statnor Lane, Torquay were to be allocated in a later iteration of the Plan, the policy states that 30% affordable housing is to be provided on all sites above 20 dwellings in size. This is to be provided via a mix of social rent (70%) and intermediate housing (30%), which includes shared ownership and discounted market sales. This approach aligns with national planning policy, which requires local authorities to make sufficient provision for affordable housing in local plans, explaining that plans should set out how developers should contribute to providing such housing, including the amount and types of affordable housing required.
- 4.94. These affordable housing contributions however should be based on evidenced need and not undermine the deliverability of development.
- 4.95. In order to achieve the level of affordable housing requirement set out in the policy, it is critical that it can be demonstrated that this level of provision is viable when considered alongside all other contributions sought through the Local Plan. The supporting text makes reference to the latest Housing and Economic Needs Assessment (currently 2021) waiting list and affordability data.
- 4.96. It is essential for the overall soundness of the plan that the proposed affordable housing quantum, which is higher than the % level in the extant Local Plan is subject to robust viability assessment. It should also have regard to all other policy requirements for development and ensure that the total policy 'ask' is clearly assessed as part of a robust viability model to inform the plan. It is essential that affordable housing requirement figure is robustly tested prior to Examination in order for the policy to be found sound.
- 4.97. At present, there is limited certainty that this level of affordable housing is deliverable, noting that the delivery concerns and infrastructure requirements associated with some of the proposed allocations (which are in some instances very extensive) do not appear to have been costed.

4.98. Evidently then, there is a requirement for further assessment.

#### *Recommendations*

4.99. Strategic Policy H7 as drafted is unsound as this will likely undermine the deliverability of the Local Plan, which, in turn, could compromise the ability to deliver the overall housing requirement. This is not consistent with national guidance, as not only could it jeopardise the delivery of homes more generally but it will reduce the number of affordable homes actually delivered. This does not represent positive planning.

4.100. The policy should be modified to seek a level of affordable housing that is viable. This in turn is likely to require the delivery of a greater number of homes than identified above to meet affordable housing needs.

4.101. Bloor Homes objects to this policy.

#### *Policy H9: Self-build housing in Future Growth Areas*

4.102. Bloor Homes objects to this policy and its requirements to provide for at least 2% of dwellings on sites planned to accommodate 100 or more homes to be provided as serviced plots for sale to self or custom home builders and be subject to a prescribed and restrictive approach to marketing and pricing.

4.103. The need for a variety (mix) of new housing is supported, but Policy H9 should take a flexible rather than prescriptive approach. The provision of on-site self-build plots will have significant viability considerations for housebuilders. However, there is no evidence presented to support the levels suggested or the thresholds set for self and custom build housing to come forward. Moreover, there is no legislative or national policy basis for imposing an obligation on landowners or developers of sites to set aside plots for self/custom build housing.

4.104. Under the Self Build and Custom Housebuilding Act 2015 and 2021, and as referenced in NPPF Paragraph 63, it is the responsibility of the Council, not landowners or developers, to ensure that sufficient permissions are given to meet demand. The Council are not empowered to restrict the use of land to deliver self/custom build housing. Further, the PPG sets out ways in which the Council should consider supporting self/custom build by 'engaging' with developers and landowners and 'encouraging' them to consider self/custom build where there is interest.

#### *Recommendation*

4.105. Bloor Homes object to this policy. There is a requirement to include more flexibility within the policy. The Council should seek to adopt an approach that accords more with national guidance that seeks the local authority to take the lead and work with developers to encourage more self-build plots.

4.106. In addition, further consideration should be given to the viability of sites and the competing requirements relating to affordable housing, housing for older people, and self-build (amongst others). There is a need to deliver much needed new housing and the Council should adopt a pragmatic, flexible to secure a mix of housing on each site.

#### *Strategic Policy SCS: Sustainable and Inclusive Communities Strategy*

4.107. Chapter 5 sets out the Policy surrounding communities and seeks to ensure that communities are healthy, inclusive and sustainable. Key elements of this includes promoting healthy lifestyles through public health and wellbeing, sport leisure and recreation as well as sustainable food production. Community facilities are also discussed as well as the promotion of inclusive communities.

4.108. Bloor Homes supports the overall vision and general principles set out within this chapter; however, they consider that elements of certain Policies provide unreasonable restrictions on development, which may have a limiting effect on sites that can come forward.

4.109. This policy sets out the criteria against which proposed development will be assessed in relation to improving the sustainability of existing and new communities. This Policy states that development must help to create cohesive communities with a high quality built and natural environment.

4.110. Whilst Bloor Homes are in support of the general principles and direction of the policy, they would object to this policy as they consider and recommended that Strategic Policy SCS would be better achieved if the Land off Broadpark Road and Land off Statnor Lane, Torquay was allocated within the Emerging Local Plan.

4.111. It is considered that the development of a residential scheme at this site would help achieve the criteria set out within this Policy, in particular, criteria 8: 'Create a well-connected, accessible and safe community'. It is considered that the site is well connected to existing settlements and as such would be accessible. Furthermore, any development would be well designed with accessibility and safety as key priorities. The residential development of this site would also adopt a landscape-led approach with suitable green infrastructure to enhance the local natural environment, in line with criteria 10. An improved type, scale, quality, mix and density in relation to its location would also be provided.

#### *Recommendation*

4.112. It is therefore considered that the development of this site would allow the Council to provide a suitable and policy compliant residential development and as such, it should be allocated within the Local Plan. Through the allocation of Land off Broadpark Road and Land off Statnor Lane, Torquay, the Council could ensure that the criteria on this list would be met through a well-designed and high quality development that takes into consideration the needs of the current and future communities.

#### **Strategic Policy SC1: Public Health and Wellbeing**

4.113. This policy sets out that 'development must contribute to improving the health and wellbeing of the community by reducing health inequalities and helping to deliver the conditions to enable healthy lifestyles and sustainable neighbourhoods'. It further states that 'development must have regards to the health needs of the population and have special consideration towards measures which will address reducing health inequalities'.

4.114. In order to achieve these requirements 'development must, through its location, design and suitability to local context, maximise its potential to address the place-based determinants of ill health in the local area'. This includes a strong reference where relevant to (inter alia):

- Active travel – active mobility through walking, wheeling and cycling
- Housing – delivery of diverse house types; affordable housing and accommodation to address local needs and energy efficient homes
- Communal and community facilities
- Employment opportunities
- Reducing exposure to environmental hazards
- Public transport
- Providing opportunities to produce and increase access to healthier food

4.115. Bloor Homes broadly support this Policy and the principles set out. However, it is considered that the strict wording of this policy may restrict suitable sites from coming forward to help Torbay Council meet its required housing number. By using wording such as 'must' this reduces the potential for flexibility in the sites which may come forward and the nature of the development. As noted previously within these representations, Torbay Council does not currently, and is not predicted to meet, the required houses per annum and cannot demonstrate a five year housing land supply.

#### *Recommendation*

4.116. Accordingly, it is recommended that the wording of this Policy be changed to allow for more flexibility. It is also considered that the allocation of the Land off Broadpark Road and Land off Statnor Lane, Torquay would, in the main, coincide with the objectives and principles contained within this Policy. As such, it is considered that the allocation of this site would aid in the creation of development that supports public health and wellbeing, thereby supporting the objectives of the Local Plan.

#### **Policy SC4: Sustainable Food Production and Land Protection**

4.117. This policy expects that new development, wherever practicable, should protect existing and new local food growing spaces.

- 4.118. The Policy states that 'development which would result in the detriment to or loss of the best and most versatile agricultural land will only be permitted where there is an overriding need for the development and it is demonstrated by the applicant that it cannot be accommodated on lower grade land. Where development is proposed and there is a choice between sites of different grades, development should take place on land of the lowest grade feasible. Where development is approved on the best and most versatile agricultural land, the local authority will require a schedule for the reuse of soils to be provided in accordance with an agreed agricultural land assessment.
- 4.119. Additionally, residential schemes at all scales should include provision for sustainable food production, proportionate to the scale of development and food growing opportunities will also be sought from non-residential development on a case-by-case basis. Furthermore, for larger development sites, the Council will seek the specific provision of allotments or neighbourhood growing spaces. Where provision cannot be achieved on-site, off-site contributions to schemes within the nearby area will be sought.
- 4.120. Bloor Homes wish to object to this Policy as it is considered that the wording of this Policy is too restrictive and this will prevent sites coming forward that would help Torbay achieve the required housing delivery that is not currently being met and may not be met in future. In particular, the wording of the Policy, which relates to agricultural land grades, and requires a schedule for the reuse of soils to be provided in accordance with an agreed agricultural land assessment. Additionally, the Policy requires all scales of residential schemes to provide sustainable food production or the requirement for larger developments the specific provision of allotments. These elements of this Policy are considered to be unduly restrictive as they may impede suitable sites being brought forward for residential development.

#### *Recommendation*

- 4.121. As it is of vital importance for Torbay Council to provide a deliverable Five Year Housing Land Supply which may not be met by the draft site allocations, it is recommended that the wording of this policy should be altered to allow for a wider range of sites to be brought forward, in particular those of higher agricultural land grade but that are suitable in all other respects. Additionally, residential schemes should not be required to provide the sustainable food production as this may impact the viability of site and prevent sites coming forward in a timely manner.

#### *Strategic Policy TAS: Integrated Transport Vision, Transport Hierarchy and Strategic Connectivity*

- 4.122. Chapter 7 of the draft Local Plan considers transport issues, sustainable travel and the need for inclusive access. The draft Policy emphasises the 'transport vision' that the LPA wish to follow when guiding the future development of the wider Torbay area. This emphasises the importance of strategic connections, supporting the transport hierarchy, encouraging connection to the existing transport network, encouraging the development of multi-modal hubs, and ensuring that sustainability and the environment remain at the heart of the transport strategy.
- 4.123. Bloor Homes supports the overall transport vision and agrees that a particular priority should be given to walking, cycling, and wheeling to ensure that development encourages and reinforces connectivity across the Borough and agrees that the development of multi-modal hubs and connections to the existing transport network will ensure that development provides sustainable travel and inclusive access.
- 4.124. Bloor Homes also supports the principles of Strategic Policy TAS: Integrated transport vision, transport hierarchy and strategic connectivity, and considers that this will set the appropriate strategic benchmark under which development proposals should be assessed throughout the plan period. Bloor Homes notes and agrees with the Transport Hierarchy' illustrated at Figure 16 and considers that the proposed allocation and development of the Land off Broadpark Road and Land off Statnor Lane, Torquay is capable of being brought forward in compliance with this hierarchy and overall strategy.
- 4.125. Bloor Homes does, however, consider that adjustments should be made to the approach taken within Policy TAS to ensure that it is both consistent with national policy, effective and positively prepared. Bloor Homes considers that to ensure consistency with national policy, Policy TAS should be re-crafted to ensure that a 'vision-led' approach is adopted within development proposals and to ensure that the transport vision includes future resilience. This is specifically identified as an issue within the draft Policy's supporting text (para. 6.3), where the need for the transport system and infrastructure to be resilient and capable of supporting needs both now and through future choice is emphasised.

- 4.126. In addition, Bloor Homes considers that to ensure the policy is effective, any required improvements to (or contributions towards) the existing transport network must be viability-assessed. A strategic policy will not be effective in its delivery, or resilient to respond to emerging and future transport needs and pressures if it fails to allow for flexibility to be applied when securing transport contributions, particularly where the viability of development proposals may be a key consideration.
- 4.127. Bloor Homes agrees with the principles set out at draft paragraph 6.6 that junction improvements, mobility hubs and new cycle route will be important elements of contributing to this strategy. Bloor Homes does, however, consider that to ensure that the policy is effective and positively prepared, the anticipated safeguarding of land, in particular for bus and transport network improvements and location of mobility hubs should be specified clearly within site-specific allocations for development.
- 4.128. Bloor Homes also agrees in principle with the approach stated at draft paragraph 6.9 but again considers that to ensure the policy is effective and positively prepared, key areas of connectivity around major development proposals should also be set out in site-specific allocations.

#### *Recommendation*

- 4.129. For these reasons, Bloor Homes considers that the wording of draft strategic Policy TAS should be amended to ensure that the 'vision-led' approach is followed within development proposals, that the draft Policy acknowledges cases where development viability may be a consideration, and that the draft Policy specifically requires bus and transport network improvements, the provision of mobility hubs and other key areas of transport connectivity are set out clearly within site-specific allocations.

#### **Policy TA1: Reducing the Impact of Transport and Promoting Sustainable Travel**

- 4.130. Draft Policy TA1 develops the overall transport strategy further and provides clarity on how the LPA propose to consider development proposals in transport terms. This includes ensuring compliance with design codes and supplementary planning documents to support high quality, safe and accessible places. The draft Policy also sets out the detailed information that will be required in support of planning applications (for example, Transport Assessments and Travel Plans).
- 4.131. Bloor Home supports the principles of Policy TA1: Reducing the impact of transport and promoting sustainable travel and considers that for the policy to be justified and effective, the content of design codes and/or SPDs will be crucial in delivering high quality, safe and accessible places. It is therefore essential that these design codes and/or SPDs are brought forward early in the Local Plan process and with the support and involvement of key stakeholders and developers. This should be reflected within the wording of draft Policy TA1.

#### *Recommendation*

- 4.132. For these reasons, Bloor Homes considers that draft Policy TA1 should be re-worded to confirm that any design codes or supplementary planning documents that are brought forward to guide transport and sustainable travel within site proposals are done so early in the Local Plan period, and with the engagement of all relevant stakeholders, developers and landowners.

#### **Policy TA2: Effective and Inclusive Transport System**

- 4.133. Draft Policy TA2 focuses on the delivery of development of an effective and inclusive transport system and sets out requirements for relevant developments. This includes seeking financial contributions towards enhanced transport infrastructure or service provision, and for development to mitigate the effect that it has on the transport system.
- 4.134. Bloor Homes supports the principles of draft Policy TA2 but considers that to ensure the policy is both justified and effective, development-related financial contributions towards enhanced transport infrastructure or service provision must be proportionate and viability assessed. The wording of the draft Policy should therefore be amended to include specific reference to the consideration of development viability when determining the level of financial contribution that may be sought. Without this explicit acknowledgement there is a risk that the Policy will be over-prescriptive and ineffective, which has the potential to delay or even prevent beneficial development (including that providing improvements to the transport system) from coming forward.
- 4.135. Bloor Homes also considers that to ensure that the policy is positively prepared, it is important for Policy TA2 to acknowledge that new development will be required to achieve an effective transport system. Bloor Homes considers that the draft wording of Policy TA2 (specifically bullet point 1) should be amended to state that this will be achieved through "*Focussing development in locations that are **or can be made** accessible and safely connected....*"

*Recommendation*

- 4.136. To ensure that Policy TA2 is justified, effective and positively prepared, its wording should be amended to include the consideration of development viability when assessing the level of financial contributions required to mitigate its effects on transport infrastructure and service provision. The wording should also be amended to ensure that it recognises that new development will be required to achieve an effective transport system.

**Policy TA4: Parking and Shared Transport Provision**

- 4.137. Draft Policy TA4 sets out in more detail the specific requirements in terms of parking provision and the delivery of shared parking provision, and Bloor Homes both supports and welcomes the principle of this approach. Bloor Homes considers that this provides both stakeholders, landowners and developers important clarity when it comes to the design and promotion of development proposals, with more certainty that they will be supported by the Local Planning Authority.
- 4.138. Bloor Homes supports the requirement for minimum parking standards set out within TA4 to be delivered within development proposals, including the emphasis on shared transport provision (that is, cycle spaces and shared car provision).
- 4.139. Consistent with our comments regarding draft Policies TAS and TA2, however, Bloor Homes considers that to be effective and justified, it is important for draft Policy TA4 to acknowledge that the provision required is both proportionate and subject to viability testing.
- 4.140. Bloor Homes also considers that the stated minimum number of two car parking spaces per house (Table 13) is excessive and contrary to the overarching aims of Policy TAS, which is hierarchy-led (Figure 16) and seeks to ensure that sustainable transport is fully embedded into new developments (as stated at draft paragraph 6.30). To ensure that it is positively prepared, the policy (and the specific parking standards set out in Table 13) should therefore be re-crafted to place a greater emphasis on walking/wheeling, cycling and the use of public and shared parking, and to remove the requirement for a minimum of two parking spaces per house (not including garages).

*Recommendation*

- 4.141. Bloor Homes considers that the wording of draft Policy TA4 should be amended to ensure that explicit reference is included to the assessment of development viability when determining the level of transport provision that will be required as part of development proposals. To ensure that the parking standards are consistent with the over-arching transport strategy and transport hierarchy (draft Policy TAS), Table 13 should also be amended to remove the reference to a minimum of two car parking spaces to be provided per house (excluding garage provision).

**Policy CERS: Climate Resilient, Net Zero Carbon Developments**

- 4.142. This Policy describes how development proposals will be required to be designed to be resilient to climate change and minimise greenhouse gas emissions. Policy CERS details the requirements for developments. This Policy also sets out that applications will be required to be supported by an Energy and Climate Change Statement. As part of this, a climate resilience statement, transport assessment and travel plan will also be required. This document will be expected to include details of how the development will demonstrate these requirements, including the adoption of a climate resilient approach and reducing energy demand. Development will also be required to minimise flood risk and be designed with a fabric first approach to maximise energy efficiency, among others.
- 4.143. Bloor Homes supports the Council's approach in seeking to ensure that the effects of climate change have been fully taken into account in development proposals. However, they would note that such Statements are likely to replicate much of the information that is required to be submitted in support of application for major developments.
- 4.144. Bloor Homes therefore object to this Policy. It is not considered that an Energy and Climate Change Statement is required and it will add extra experience and time to the planning application process. These matters can be adequately addressed in other supporting information and through negotiation and agreement with Officers during the application stages. As such, it is not considered to be justified.

4.145. This is not to say that Bloor Homes does not wish to support the need for climate change resilience and, as a company, their schemes will seek to ensure that consideration of the impact of climate change is built into their proposals. Indeed, measures to address climate change are incorporated at the design stage. However, it is felt that there are better mechanisms to achieving this goal than the provision of an additional statement or report. Rather Bloor Homes would wish to work closely with the Council during the application stage to agree and confirm the approach to be adopted.

4.146. That said, it is considered that should the Land off Broadpark Road and Land off Statnor Lane, Torquay be allocated for residential development, the subsequent development would incorporate the criteria listed in this Policy with regards to build development that minimises greenhouse gases.

#### *Recommendation*

4.147. Policy CERS should be amended to exclude the requirement for an Energy and Climate Changer Statement to be submitted with applications.

#### **Policy CER1: Net Zero Carbon Development Standards**

4.148. This Policy sets out the requirements for new development with regards to Net Zero. This includes how residential development, as a minimum, is required to achieve '75% carbon dioxide emissions reduction from that required under Part L of the 2013 Building Regulations'. Further, all development will be required to achieve net zero carbon emissions. This Policy also requires an Energy and Climate Change Statement.

4.149. The requirement for 75% carbon emissions reduction from that required under the building Regulations is an onerous requirement that is contrary to the relevant national guidance. This requirement will therefore impact upon the viability of residential development and will provide an additional obstacle to overcome. Given that the delivery of housing is a critical matter within Torbay, the Local Authority should work proactively with developers to provide the required housing numbers. Bloor Homes would be happy to comply with the relevant guidance provided with the Building Regulations and other national policy.

#### *Recommendation*

It is therefore recommended that the wording of this Policy is changed to remove this requirement and to instead amend this Policy to be in line with the relevant national policy and guidance.

#### **Policy CER2: Embodied Carbon Reduction and Assessment**

4.150. This Policy sets out how all new development will be expected to demonstrate how it will minimise embodied carbon emissions. It is stated that this will be through an Energy and Climate change Statement, which includes an embodied carbon assessment. This must use a nationally recognised embodied carbon assessment methodology and demonstrate actions taken to reduce embodied carbon emissions.

#### *Recommendation*

4.151. As set out within the commentary for Policy CERS, whilst Bloor Homes is supportive of the aims to reduce embodied carbon it is considered that the requirements for this additional document as part of a planning application will place an unreasonable and unviable requirement upon developers that will increase costs and slow down the planning application process. It is considered that much of this information can be provided within other submitted documents and that this is not a necessary requirement. In particular, given the critical housing need within Torbay shown by the lack of Five Year Housing Land Supply and failure of the Housing Delivery Test, it is considered that the Local Authority should work proactively with applicants to create an efficient planning process. As such, it is recommended that this requirement be removed or limited to schemes where embodied carbon impacts are demonstrably significant.

#### **Strategic Policy ER3: Water Management**

4.152. Within this Policy, it is set out how all development must submit a water management plan that demonstrates how development has met the listed criteria. This includes minimising water consumption, maximizing water sensitive design and avoiding harm to surface waters and aquatic ecosystems.

4.153. Whilst Bloor Homes supports the principle of managing water and protecting the water systems within Torbay, it is considered that the provision of a water management plan for all development is an unreasonable requirement that will provide an unnecessary obstacle for developers and the development of housing within Torbay. It is considered that the introduction of another requirement would increase delay and cost without necessarily yielding meaningful benefits where development will have limited impacts upon water systems and where information may be provided within other documents such as Flood Risk Assessments.

#### *Recommendation*

4.154. As such, in line with the recommendations for Policies CERS and CER2, this requirement should be reduced and should only relate to developments that would result in a significant impact to water systems and aquatic ecosystems. This would therefore ensure that unnecessary barriers to housing delivery are removed.

#### **Policy L1: Protecting Our Countryside and Rural Economy**

4.155. Bloor Homes supports the general intention of Policy L1 to protect Torbay's rural areas; however, the policy is overly restrictive as drafted and requires greater flexibility to ensure consistency with the NPPF's presumption in favour of sustainable development (paragraph 11). To ensure the policy is positively prepared and capable of meeting local needs over the plan period, we consider the following clarifications and amendments are necessary.

4.156. Firstly, Policy L1 should explicitly support development outside the main urban areas where it addresses an identified local need, including but not limited to, housing requirements, specialist accommodation, community facilities, and forms of rural economic development. Without such flexibility, the policy risks preventing sustainable proposals that deliver clear social benefits and are necessary to meet Torbay's identified needs.

4.157. Secondly, the requirement for applicants to assess in-combination effects should be proportionate. It is unreasonable to require assessment of hypothetical, unsubmitted or speculative development proposals. Cumulative assessment should relate only to extant permissions, allocations, or live applications, consistent with national guidance. This ensures applicants are not burdened with assessing developments that may never come forward.

4.158. Finally, where the policy references the potential for housing development outside settlement boundaries, this should be expanded to confirm that such development may also be acceptable where it demonstrably addresses an identified need, aligning the policy with Policy HS and wider NPPF requirements for responsiveness to local housing needs.

#### *Recommendation*

4.159. To ensure Policy L1 is positively prepared, proportionate, and aligned with the NPPF's presumption in favour of sustainable development, the following amendments are recommended:

4.160. Insert wording to confirm that development outside the main urban areas may be supported where it directly addresses a proven local need. This provides necessary flexibility and ensures the policy can respond to housing, community and economic requirements that cannot be accommodated within settlement boundaries.

4.161. Clarify that applicants will only be required to assess in-combination impacts arising from reasonably foreseeable development—namely, extant permissions, Local Plan allocations, or live applications. This avoids placing unjustified burdens on applicants to assess speculative or hypothetical schemes that may never come forward.

4.162. Amend the policy wording to confirm that housing beyond settlement boundaries may be acceptable where it demonstrably meets an identified local need, including affordable housing or specialist accommodation, subject to compliance with other relevant policies.

4.163. These refinements will ensure Policy L1 remains robust while also being flexible, deliverable, and consistent with national planning policy.

#### **Policy THS: Trees and Hedgerows**

4.164. Strategic Policy THS seeks to protect, retain and enhance Torbay's trees, woodland, and hedgerows. The policy includes a requirement for all new streets to be tree-lined and for development to retain good-quality and healthy woodland trees and hedgerows, including ancient woodland, ancient and veteran trees, trees with high visual amenity, those supporting wildlife or contributing to connectivity, and those forming part of the historic environment.

- 4.165. While Bloor Homes supports Torbay Council's intention to protect important landscape assets, Strategic Policy THS is drafted in an overly rigid and prescriptive manner. As such, it is considered that the Policy may not meet the tests of soundness as clearly stated in paragraph 36 of the NPPF, as it is not justified, effective, or aligned with national policy requirements for clarity, proportionality, and deliverability.
- 4.166. The draft policy states that *"new streets should be tree lined"*. Whilst this aligns with the general direction of the NPPF, it lacks the necessary flexibility to recognise environmental and design constraints. It is not feasible or appropriate in all circumstances to deliver tree-lined streets, including:
- Constrained or steeply sloping sites.
  - Locations where utilities, drainage corridors or access geometry restrict planting opportunities; and
  - Schemes where tree-lined streets would be inconsistent with the local landscape or built character
- 4.167. A blanket requirement for tree-lined streets disregards site-specific constraints and is inconsistent with proportionate policy drafting. It also risks undermining viability on small or constrained sites. It is considered, therefore, that the requirement should include appropriate caveats that allow for deviations where justified through design, landscape, or viability evidence.
- 4.168. The draft wording also requires every development proposal to retain good-quality and healthy woodland trees and hedgerows, including ancient woodland, veteran trees, connectivity features, visually important trees and hedgerows contributing to the historic setting. While protection of the most important assets is supported, the policy as drafted implies absolute retention in all cases. This is neither justified, nor deliverable.
- 4.169. On greenfield sites in particular, it may be necessary to introduce access points, internal roads, drainage routes, or essential utilities through areas of existing trees or hedgerows. The current draft wording is inflexible and may unintentionally restrict sustainable development or prevent sites from coming forward altogether.
- 4.170. Draft Policy THS must allow for tree and hedgerow loss where unavoidable, subject to appropriate justification and mitigation, consistent with national BNG requirements and proportional environmental management. BNG legislation already establishes a clear framework for compensatory planting, ecological enhancement and habitat creation, including where unavoidable loss is justified. The policy should not duplicate or contradict BNG requirements, but instead, be aligned with them.
- 4.171. Additionally, it is important that the Local Plan provides a cohesive and harmonic relationship between all Policies and should avoid inclusion of policies that directly contradict each other. Policy TH1 refers to preventing development that would *"seriously harm"* hedgerows, trees, woodland and landscape features. Policy THS must align with that, rather than create a stricter requirement of universal retention.

#### *Recommendation*

- 4.172. To ensure Strategic Policy THS is justified, effective and consistent with national policy, Bloor Homes considers that the policy must incorporate significantly greater flexibility.
- 4.173. The requirement for all new streets to be tree-lined should be amended to include reference to *"where appropriate and feasible"*, in order to recognise local landscape character, site constraints, safety considerations, and viability. Similarly, the obligation to retain all high-quality woodland, trees and hedgerows should be revised to require retention *"where possible"*, to allow for necessary losses associated with access, drainage, utilities, or necessary development layout on greenfield sites. Any unavoidable loss should be justified through proportionate arboricultural assessment and mitigated through measurable Biodiversity Net Gain in accordance with national policy. The policy must also explicitly allow the removal of unhealthy, unsafe or structurally compromised trees and ensure consistency with Policy TH1 and the Landscape Character Appraisal to avoid conflicting requirements.
- 4.174. Furthermore, Strategic Policy THS should be refined to confirm that the retention of trees elsewhere on sites will be sought *"where possible"* as part of a balanced and design-led approach. The policy should acknowledge that compensatory planting and habitat creation can offer greater long-term ecological value than retaining low-quality or poorly located trees, ensuring an appropriate balance between protection of natural assets and the delivery of sustainable, well-designed development.

- 4.175. Incorporating explicit reference to viability will also be essential to ensure the policy can be implemented realistically across a variety of site contexts. Collectively, these amendments will ensure that Strategic Policy THS remains robust and environmentally responsible, while also being sufficiently flexible, deliverable, and aligned with the NPPF, Biodiversity Net Gain legislation, and the Landscape Character Appraisal.

#### Policy TH1: Trees, Hedgerows and Natural Landscape Features

- 4.176. Bloor Homes supports the intent behind Draft Policy TH1 to protect significant trees, hedgerows and natural landscape features and notes that the policy duplicates and overlaps with Draft Strategic Policy THS, but the two policies are not fully aligned. Draft Policy TH1 is drafted in a manner that is vague, overly broad and lacks sufficient criteria to ensure clarity and predictable application.
- 4.177. To be effective, Draft Policy TH1 should provide clear and measurable criteria that work in tandem with Draft Policy THS, the Biodiversity Net Gain requirements, and the Landscape Character Appraisal. As drafted, the lack of cross-referencing and the inconsistent terminology between the two policies risks confusion and misapplication. For example, the first paragraph of the draft Policy states:
- “Development will not be permitted when it would seriously harm, either directly or indirectly, protected or veteran trees, hedgerows, ancient woodlands or other natural features of significant landscape, historic or nature conservation value. Harm can arise directly, through felling or damage during construction, or indirectly through pressure to fell or prune in the future due to the proximity of trees to a new development.”*
- 4.178. Similar to Policy THS, Draft Policy TH1 lacks definition and does not align closely with proportionate, evidence-based assessment principles required by national policy. Without clear parameters, the policy risks being interpreted inconsistently, creating uncertainty for applicants, and potentially inhibiting sustainable development.
- 4.179. Draft Policy TH1 does not recognise that, particularly on greenfield sites, certain trees or hedgerows may unavoidably need to be removed to provide safe site access, utilities, drainage infrastructure or appropriate internal layout. The policy should explicitly acknowledge that such impacts may be acceptable where appropriate, supported by proportionate evidence and accompanied by mitigation in accordance with BNG legislation.
- 4.180. The policy would also benefit from referencing the Landscape Character Appraisal so that decisions can be grounded in proportionate, place-specific evidence, rather than broad and undefined value judgements.
- 4.181. Similarly, the policy does not provide exemptions for the removal of unsafe, diseased or structurally compromised trees, despite this being essential for public safety and good land management.

#### Recommendation

- 4.182. To ensure Draft Policy TH1 is effective, justified, and aligned with national planning policy, Bloor Homes considers that the wording should be refined to provide clearer, evidence-based criteria and to incorporate appropriate caveats. The policy should confirm that development affecting trees, hedgerows or natural landscape features will only be resisted where demonstrable harm cannot be mitigated, and that impacts may be acceptable where appropriate, subject to arboricultural, ecological, heritage and landscape assessment. Unavoidable losses should be permissible where supported by proportionate evidence and compensated through Biodiversity Net Gain, and the policy should allow for the removal of diseased, unsafe or structurally compromised trees.
- 4.183. Policy TH1 should also be explicitly aligned with Draft Strategic Policy THS and incorporate cross-references to the Landscape Character Appraisal and BNG requirements to ensure consistency and avoid duplication. Clearer terminology and the inclusion of specific caveats relating to site constraints, local character, layout optimisation, viability and safety will ensure that Policy TH1 is robust and environmentally responsible, while also being flexible, deliverable and compatible with the wider spatial objectives of the Local Plan.

#### Policy DES: Design and Placemaking

- 4.184. Chapter 11 sets out the policy approach to be adopted to ensure that development is designed with quality and place-making in mind. Key issues that are identified are the established principles that development should enhance the quality of residents and visitors' lives, should enable the creation of strong communities, support economic vitality, promote environmental sustainability and celebrate local character. All these development principles are supported as the basis of ensuring design quality.

- 4.185. Bloor Homes supports the principles of DES: Design and Placemaking, and specifically the need to balance development in a way that seeks to maximise density while respecting and enhancing Torbay's special qualities. The issue of balance and compromise when assessing development proposals is key to their success, and Bloor Homes agrees with the general approach of the draft strategic policy.
- 4.186. Consistent with Bloor Homes' comments with reference to the draft Plan's stated 'Shared Vision', to be consistent with national policy and positively prepared, the emphasis contained within draft Policy DES (specifically within the supporting text at paragraph 11.1) on urban development through town centre regeneration should be re-crafted to include other properly planned urban extensions to the existing built-form of Torbay. Examples of urban extensions are included within the draft plan (that is, Edginswell), but these principles should also be directed to another potential urban extension at Land off Broadpark Road and Land off Statnor Lane, Torquay. The emerging plan will simply fail to deliver the area's required housing growth without additional urban extensions, and it is crucial for strategic policy relating to design and placemaking addresses the delivery of such sites.

#### *Recommendation*

- 4.187. Draft Policy DES (and its supporting text) should be amended to acknowledge that suitably designed and planned developments will be required to come forward as urban extensions if the Council is to meet its housing requirement for the plan period.

#### **Policy DE1: Design Quality and Assessment**

- 4.188. Draft Policy DE1 addresses design quality and the assessment of development proposals. The draft policy states that development should be well-designed, respect and enhance the areas special qualities, including the character of the natural and built environment, and the settlement pattern of the three towns. The draft policy emphasises that major development should be informed by a townscape and/or landscape assessment, existing and previous land uses and movement patterns. Such principles are commonplace and are clearly required to deliver development that is appropriate to the area. Bloor Homes supports the adoption of these principles.
- 4.189. To be effective, however, and to ensure that a suitable quantity and mix of development can come forward, the resistance to low-rise development (Design Considerations, point 2) should be removed. This conflicts with the approach adopted in Policy DES4, which recognises that building heights should be appropriate to the location, historic character and setting of the area within which development is proposed. Low rise development can and should be considered in appropriate circumstances to ensure that it is informed by the surrounding townscape and the special qualities of Torbay, that it integrates with the surrounding green infrastructure (Point 7), that it acknowledges local character (Point 12), that it will have a clear urban structure (Point 13), and that it will protect longer distance views (Point 17).

#### *Recommendation*

- 4.190. Draft Policy DE1 (and specifically Design Considerations, point 2) should be amended to remove the reference to resisting low rise development.

#### **Policy DE2: Building for a Healthy Life**

- 4.191. Draft Policy DE2 sets out that major development proposals will be assessed against the 'Building for a Healthy Life' (BHL) criteria to ensure that they deliver high-quality design. Although this principle is supported, it is important for the draft Policy and the plan as a whole to acknowledge that the BHL criteria is only one measure for assessing development proposal. Bloor Homes does not consider that the BHL criteria should be the sole measure against which high quality urban design is assessed, and that other influences can and should be appropriate when undertaking an assessment of application proposals.

#### *Recommendation*

- 4.192. Bloor Homes considers that for the draft Policy to be both effective and positively planned, it should be amended to acknowledge that there will be other urban design criteria that inform how development is to be brought forward, and to ensure that compliance with the BHL criteria is not simply adopted as a 'pass' or 'fail' test.

### Policy DE3: Development Amenity and Living Standards

- 4.193. Draft Policy DE3 sets out criteria for amenity and living standards within new development to ensure that a good level of amenity is provided for future residents or occupiers, while ensuring that development does not unduly impact on the amenity of neighbouring and surrounding uses. Ten broad criteria are identified within the policy, which is supplemented by the commentary in the supporting text.
- 4.194. Bloor Homes agrees with these broad criteria and with the principle that suitable levels of amenity should be provided without compromising the amenity of existing areas. Bloor Homes does not, however, agree with the stated 'minimum' density of 40 dwelling per hectare, which is set out in the supporting text (unnumbered paragraph beneath Table 17). This 'minimum' density is not appropriate for greenfield sites and will conflict with the aim of securing an appropriate level of density, while respecting surrounding uses and taking account of the surround townscape or landscape.

#### *Recommendation*

- 4.195. Bloor Homes considers that the reference to a 'minimum' density of 40 dwelling per hectare should be removed from the supporting text to draft Policy DE3.

### Policy DE4: Building Heights and Urban Form

- 4.196. Draft Policy DE4 sets out how the height of new buildings should be appropriate to the location, historic character and setting of the development, whilst have regard to the to make the best use of urban sites. With reference to Bloor Homes' earlier comments regarding the draft Plan's 'Shared Vision', we continue to consider that this policy-emphasis on 'urban' sites reflects a fundamental failure of the plan to address the need for urban extensions to come forward if the Local Planning Authority is to deliver the number of homes that are required for the area.
- 4.197. Bloor Homes considers that the height of all new buildings should be appropriate to their location, regardless of whether the development is being proposed in an urban or other location. Bloor Homes agrees that the height of new buildings should be appropriate to the location, historic character and setting, but this is contrary to the default resistance to low rise development and our representations in respect of draft Policy DE2. The wording of draft Policy DE4 does not, therefore, provide the Council with a policy basis that is either effective or positively prepared.

#### *Recommendation*

- 4.198. Bloor Homes considers that the wording of draft Policy DE4 should be amended to remove the explicit reference to building heights being applicable to urban sites

### Policy W2

- 4.199. Bloor Homes broadly support the overarching aims of Chapter 12 (Responsible resource use: Minerals and Waste), which sets out a clear and positive framework for promoting sustainable resource management across Torbay. In particular, Bloor Homes supports the core aim of reducing waste, safeguarding mineral resources, and fostering a circular economy as part of the transition to a low carbon future.
- 4.200. Torbay Council's intention within Policy W2 to minimise waste generation, reduce raw material consumption, and ensure that developments are designed to promote reuse and recycling throughout their lifecycle is recognised and supported. It is considered that these aims are consistent with the circular economy principles and are an appropriate strategic direction for the Local Plan.
- 4.201. However, Bloor Homes have concerns regarding specific elements of the policy wording, particularly the requirement for development proposals to "*Maximise sustainable construction methods*", which is considered to be overly stringent, imprecise, and not aligned with national planning requirements for clarity, proportionality, and deliverability.
- 4.202. It is considered that the instruction to "*Maximise sustainable construction methods*", imposes an unsubstantiated obligation that lacks the necessary clarity and could be interpreted as requiring the highest possible level of sustainable construction in every case, regardless of site characteristics, viability, availability of materials, and feasibility. The current wording proposed risks inconsistent interpretation by officers and does not align with national policy, that requires Local Plan policies to be clearly written and capable of practical implementation.

4.203. Policy W2 already requires a detailed Waste Audit and Five-Year Waste Management Plan, covering:

- Waste prevention, minimisation, reuse and recycling.
- Reducing raw material use.
- Segregation and on-site waste management.
- Consideration of transport modes for waste; and
- Provision of recycling and waste storage facilities.

4.204. These elements ensure that sustainable construction and circular economy principles are fully considered. It is, therefore, considered that the additional requirement to *maximise* sustainable construction is unnecessary, disproportionate, and duplicates the detailed measures already stated within the wider Policy.

*Recommendation*

4.205. Bloor Homes recommend that a refined phrasing would be beneficial in this instance to ensure that Policy W2 can remain deliverable. A more appropriate requirement would be as follows:

*“incorporate appropriate sustainable construction methods proportionate to the scale, nature and viability of the development.”*

4.206. This revision would maintain alignment with the circular economy principles whilst ensuring that development proposals can feasibly comply with the Policy and that decision making can remain consistent.

4.207. Bloor Homes, therefore, recommend that the Council revise Policy W2 to remove or amend the requirement to *“Maximise sustainable construction methods”* in favour of more proportionate and deliverable wording. This change would ensure that the policy would remain aligned with national planning policy.

## 5. SUMMARY

- 5.1. These representations have been prepared on behalf of Bloor Homes, who have an interest in the Land off Broadpark Road and Land off Statnor Lane, Torquay . It is their view that - in light of the housing pressures that have historically faced Torbay – this site represents, a logical, deliverable and sustainable location for new residential development that will help meet the overall housing needs in Torbay.
- 5.2. Accordingly, they object to the non-allocation of the site in the draft Local Plan – Regulation 18 Consultation. Given the grave concerns that have been expressed about the Council’s approach to their overall housing requirement, the retention of site allocation within the Future Growth Area that have persistently non delivered and the reliance on urban regeneration sites, it is clear that there is a need for additional sites to be located to ensure a more robust, justified and effective housing provision strategy is implemented
- 5.3. The Land off Broadpark Road and Land off Statnor Lane, Torquay can contribute to meeting the pressing housing requirements in Torbay. The proposed development will be landscape-led and will ensure ecological matters are comprehensively addressed meaning that it will not be limited by constraints whilst providing for a significant number of new houses. Moreover, it is deliverable now and means that it can come forward early in the plan period thereby helping to meet five-year housing land supply provision as well as provide a consistent and sustainable trajectory of sites coming forward.
- 5.4. Given this, Bloor Homes consider that the site should be allocated for new residential development.
- 5.5. As set out, Bloor Homes have consider that the Council should review their approach to the spatial strategy and residential land allocations and as they are considered that to meet the test of soundness. These policies are not positively planned, justified, effective and accord with government guidance. Accordingly, Bloor Homes consider that s
- 5.6. In light of the timeframe to secure the progression of the Local Plan under the current regulations, the Council should urgently consider the need to allocate additional housing sites in order that the Plan can continue towards Examination. The Land off Broadpark Road and Land off Statnor Lane, Torquay is one such site that should be allocated.
- 5.7. The allocation of additional sites should be considered in conjunction with the re-drafting of the policies identified above with a more realistic approach adopted and the inclusion of more flexibility, for instance, consideration should be given as to whether some of the Future Growth Areas will deliver the number of dwellings proposed whilst more flexibility should be shown to delivery of sites outside of these areas and the settlement boundary.
- 5.8. Bloor Homes’ key comments on the Regulation 18 Draft can be summarised as follows:
- Land off Broadpark Road and Land off Statnor Lane, Torquay should be allocated.
  - The overall housing requirement should be increased in line with the standard method.
  - Additional housing sites outside of the settlement boundary and Future Growth Areas should be allocated.
  - Serious consideration should be given to whether some of the Future Growth Area will deliver new housing during the Plan Period and it is suggested that a more realistic approach is adopted to the housing trajectory and delivery rates on these sites.
  - The viability of the current approach to the provision of affordable housing is questioned and should be reviewed.
  - It is considered that the policy on self-build and older persons housing is too specific in its requirements and that it also raises viability concerns; and
  - The drafting of policy on transport, ecology, landscape, design, and heritage matters should be reviewed to ensure consistency with national guidance.
- 5.9. In summary, Bloor Homes objects to non-allocation of Land off Broadpark Road and Land off Statnor Lane, Torquay for residential development. It is considered that the site represents a suitable and sustainable location for new development. The site is also under the control of one party and is available and deliverable in the short term and will help the pressing housing needs within Torbay.