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From: Alex Cirant-Taljaard [REDACTED]
Sent: 02 February 2026 17:36
To: Future Planning
Cc: [REDACTED]
Subject: Representations to Regulation 18 Draft Local Plan Consultation on behalf of Vistry Homes
Attachments: Written Representations to Torbay Regulation 18 Draft Local Plan on behalf of Vistry Homes.pdf
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Good afternoon,

Please see attached representations written on behalf of Vistry Homes Ltd to the Torbay Regulation 18 Draft Local Plan consultation. The submission is as follows:

- Written Representations
- Appendices comprising:
 - Site Location Plan
 - Vision Document
 - Illustrative Masterplan
 - Land Ownership Plan
 - Context & Connectivity Plan
 - Development Considerations Plan
 - Access General Arrangement Plan

I have attached to this email the Written Representations, and the appendices can be accessed via the link below:

<https://we.tl/t-CiNpYfgz6x>

Please can you confirm safe receipt of these representations.

Many thanks,

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Draft Torbay Local Plan 2025-45: Regulation 18 Draft Local Plan

Prepared by Savills
on behalf of Vistry Homes Ltd

1. Introduction

This Representation is made in response to the Torbay Regulation 18 Draft Local Plan Review 2020-2042. The representation is submitted by Savills on behalf of Vistry Homes Ltd who have an interest in Land north of Long Road, Paignton ('the site'). A copy of the Site Location Plan is attached at **Appendix 1**.

The land falls within the 'Long Road, Yalberton Future Growth Area' under draft Policy SDP5, which supports the delivery of a mix of new homes and employment land, with specific reference to the potential for 200 residential dwellings on the site. These representations support this emerging allocation, and aim to assist the Council by providing information on the site and explaining the background work undertaken so far on behalf of Vistry. The representations are supported by an Indicative Masterplan and Vision Document to outline the preliminary proposals for the site and Vistry's commitment to bringing the site forward.

We welcome the progress being made on the Local Plan Review and the authority's decision to avoid delaying the plan making process. We also welcome the authority's decision to reset the local plan work and undertake a further Regulation 18 consultation given the need to address the higher local housing need derived from the Government's standard method.

However, we have significant concerns over the approach taken in deriving the housing requirement which is currently proposed at only 42% of the governments standard method target. We set out our comments in detail, along with those relating to a number of other draft policies, within the representations.

Our comments on the consultation and supporting evidence base are set out below and are made in accordance with paragraph 36 of the NPPF, to assist in ensuring that the Local Plan is found sound when examined in the future.

2. Response to Draft Policies

The following section sets out our responses to the draft policies within the Draft Plan.

As a broad observation however, it is our view that the next stage of the local plan should consider how some of the important matters are addressed under separate policies to provide clarity. Currently, as structured, there appears to be a degree of crossover and duplication between some of the site allocations and 'growth areas' for example. This is explained further below under our response to the separate draft policies, but we consider the plan could be amended ready for the next stage to ensure it is easier to follow.

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

We have significant concerns with draft Policy SS1, predominantly in relation to the proposed housing requirement and lack of justification for proposing a requirement which is substantially below that of the Government's standard method.

The draft plan proposes only 8,000 new homes for the 20 year plan period of 2025 – 2045. This equates to 400 homes per annum. This is only 42% of the government's standard method target which is 950 homes per annum, or for a 20-year plan period would equate to around 19,000 new homes.

This would not have been an acceptable and sound approach had the Regulation 18 consultation been published last year, however it is now even more unacceptable on the basis of the Government's recently published proposed revisions to the NPPF for consultation in December 2025. Whilst this is still in consultation, it clearly sets out the expectations and direction of travel of the Government. The new NPPF clearly shows the importance that is being placed on addressing the housing crisis and the clear need for a more rules-based planning system that provides more certainty. It is very clear that the Government is expecting Local Plans to do more to help address the housing crisis and there is an expectation that all Councils should be planning to meet their housing needs in full.

It is noted that paragraph 3.1 of the consultation document provides a limited explanation for the reduced housing requirement:

"The Local Plan deals with much more than housing. However, meeting objectively assessed housing needs is an important test of soundness for the Local Plan. Torbay's substantial environmental, infrastructure and market-capacity constraints mean that it is not able to accommodate its full Local Housing Need (LHN) as calculated by the December 2024 Standard Method (which at Autumn 2025 is 950 dwellings a year). The council has applied the Presumption in Favour of Sustainable Development (at paragraph 11(a-b) of the framework). It has sought to identify the best development strategy it is able to within the environmental, infrastructural and viability constraints it faces. It accepts that the proposed shortfall against LHN will require robust justification, which will be set out in a supporting Topic Paper".

We cannot see any justification provided other than this, and it therefore appears that the required justification is set to follow in the referenced Topic Paper.

We cannot see how the draft local plan can proceed on the basis of such a low housing requirement. Given the lack of any initial evidence to support the requirement, it appears that the approach taken is not evidence-led. Rather, it suggests that the authority is setting a lower target, which it will then seek to justify with evidence in the future. This is entirely contrary to the government's drive to boost housing delivery and the need for local plans to be proactive in seeking to meet their housing needs in full.

In addition, such vague reference to constraints including environmental, infrastructure and viability constraints are not sufficient grounds at this stage to proceed with a reduced housing requirement. In our view, the Council should be proceeding at the outset with the target of meeting the housing requirements in full. If evidence is then provided to justify a movement away from this then that would in itself need to be scrutinised through wider consultation. Instead, the Council has sought to commence the plan making process negatively, contrary to the Government's desire to boost housing delivery, and without any justification for doing so.

In terms of the environmental constraints referred to, even if the whole of the National Landscape is excluded from the consideration of any new housing growth, we would challenge the conclusion that the full needs of the district cannot be met within its boundaries. Coupled with this, we cannot see any recognition that new development can be required to mitigate its own impact, and the new development particularly at the scale or new settlement and urban extensions can deliver the new infrastructure, service and facilities required to support it.

We therefore consider that the Council should undertake further work to identify and plan for a wider range of deliverable and developable sites across the area in order to provide competition and choice to ensure that housing needs are met in full. The Local Plan and its evidence base will also need to clearly show the level of unmet need that remains and how this is being addressed through partnership working with neighbouring authorities.

We strongly advocate the need for more housing in the draft local plan for a variety of reasons including addressing the current housing crisis, meeting housing need, providing affordable housing, to support small and medium house builders and to support employment growth. The Council should be planning to meet the standard method as a very minimum. The Council should consider all of the issues that may result in a need for a higher housing requirement, including the need to provide a range and choice of sites, the need for flexibility, viability considerations and whether higher levels of open-market housing are required in order to secure increased delivery of affordable housing.

Moving away from the proposed housing requirement, we welcome the fact that the Council has proposed a 20 year plan period, in excess of the minimum plan period of 15 years. However, we would question the plan period start date set at 2025. Ordinarily the plan period start date would be brought forward closer to the likely plan adoption date but we note the Council has sought to make reference to some supporting evidence pre-dating this. The evidence base will potentially need to be updated to ensure that it is consistent with the plan period.

In terms of the Future Growth Areas, we support the inclusion of these growth areas, particularly 'West of Paignton'.

We have made comments specifically in relation to the west of Paignton FGA under draft Policy H2 below. However, when looking at the requirements of Policy SS1, we do have concerns over the proposed blanket approach to the need to deliver a minimum 25% employment uses on-site within these FGA's.

Whilst we acknowledge the need to allocate land for employment to help address any identified employment needs through the plan, we consider that taking a blanket approach for the FGA's and setting a broad target for a minimum amount of employment floorspace without any specific supporting evidence is not a helpful or sound approach.

The delivery of new employment must be based on demand, and should therefore be located in the right locations to address such identified demand. By seeking to provide a minimum level of employment floorspace within the FGA's could result in the wrong type of employment in the wrong locations in areas where the demand for such floorspace does not exist.

We encourage the Council to review the wording of this part of draft Policy SS1 covering the FGA's, and rather than set a minimum percentage target, perhaps look to emphasise that mixed use development is encouraged where possible and that a mix of both residential and employment uses are supported within the FGA's.

Strategic Policy SDP1: Paignton – A strategy for sustainable growth

We support the proposal to direct growth towards Paignton, and in particular that this growth will be delivered through the development of the Future Growth Area (FGA) to the west of Paignton. The continued development of this growth area will be key to ensuring the Council is able to meet its housing requirement over the plan period.

Whilst we broadly support the principle of a master planning exercise to guide development in the FGA, in practice much of the growth area has already been or is in the process of being developed. These developments have come forward independently, and as such are not necessarily future-proofed to allow further developments in the growth area to engage in a meaningful master planning exercise.

Strategic Policy SDP5: Long Road, Yalberton – Sustainable living and employment neighbourhood

We strongly support the proposal to extend the FGA at Long Road, Yalberton, the development of which will be vital to ensuring that the Council can meet its housing requirement over the plan period.

However, there is some clarification needed on the exact number of new (unbuilt as of 2026) dwellings that the policy is seeking to deliver. The policy text itself states that development is expected to deliver and "*additional 650 dwellings*". Yet, the explanatory text for this policy appears to indicate that the 650 dwellings is inclusive of those allocated in the Future Growth Area of Berry Acres, Yalberton and White Rock in the Local Plan 2012-30, and that the further expansion is expected to deliver at least 200 additional dwellings. For clarity, we suggest that the policy text makes clear the total number of new dwellings being allocated, as well as a breakdown of which existing allocations and previously identified sites comprise the remainder of the allocation.

As demonstrated within these representations, the Land north of Long Road, Yalberton is available for development and is able to delivery approximately 320 dwellings. If, as the explanatory text suggests, and additional 200 dwellings not previously allocated need to be identified within the FGA, then the land north of Long Road, Yalberton is able to accommodate the entirety of the figure and more, making it a crucial element of the FGA.

Additionally, while we are broadly supportive of the delivery of employment land within the FGA, we have concerns about the blanket approach taken in this policy, which states that 25% of the FGA should come forward as Class E(g), B2 or B8. While the employment evidence which underlies the plan shows an overall need for employment floorspace in Torbay, it is unclear how that has translated into the approach taken in this policy. Rather, we would suggest that employment uses should be directed more conscientiously to sites that can demonstrably accommodate said uses, and where there is an evidenced need for them. It is noted that part of the Land north of Long Road, Yalberton is included within a draft employment allocation under Policy E1. This is addressed later in these representations as part of our response to draft Policy E1.

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

Our position on draft Policy HS is consistent with our comments on draft Policy SS1, in relation to the proposed housing requirement and absence of supporting evidence.

We therefore refer to the comments set out under Policy SS1.

Strategic Policy H2: Future Growth Areas

As with Strategic Policy SDP5, we strongly support the proposal to extend the FGA to the west of Paignton. Additionally, we strongly support the identification of the site as a specific allocation for housing per the H2P.4 designation of Policy H2.

However, it is considered that further clarification is required in order to align Policy H2 with the information set out in Policy SDP5.

Firstly, H2P.4 is identified as Long Road, White Rock and Inglewood, Paignton (and BCG Villages). The draft Policies Map shows a number of sites as falling within H2P.4, all of which fall within the wider FGA. However, there is a discrepancy in the number of dwellings identified in H2P.4 (700 dwellings) and the total number of dwellings allocated in Policy SDP5 (650 dwellings). The identification of an FGA in Policy SDP5 and then the separate identification of specific sites within that FGA through Policy H2 is not in of itself an issue, however the way that it has been set out within the draft plan is both ambiguous and contradictory. If the sites identified within H2P.4 make up part of the FGA (as is shown in the policies map), then the number of dwellings in Policy SDP5 should be higher than the number in Policy H2. We suggest that both policies are carefully reviewed and reworded to ensure it is explicitly clear the number of dwellings being allocated through the FGA, how many of them are existing/committed sites versus new sites, and which site already identified via the HEELA are included within the allocation.

What is clear, however, is that the Land north of Long Road, Yalberton (**Appendix 1**) forms a key component of the FGA, and therefore we strongly support its continued inclusion within the plan. We would suggest that the plan specifically identifies the site as being capable of accommodating a higher scale of development, as set out later in these representations and within the appended vision document (**Appendix 2**) and masterplan (**Appendix 3**) which outline the latest proposal for the site accommodating around 320 dwellings.

In addition to the above, Policy H2 also states that *“More detailed requirements for Future Growth Areas will be brought forward through updated Masterplans”*. Whilst we are not adverse to the principle of bringing forward

masterplans for the FGA's, for this specific FGA much of the growth already been or is in the process of being developed. These developments have come forward independently, and without a previous request from the Council for a FGA-wide masterplan. The request for a comprehensive masterplan for this FGA is therefore in our view a request which has come too late in the process. While such an exercise could be done, it would have a limited positive impact compared to such an exercise being undertaken before many of the individual developments had taken place.

Policy H4 – Minimum Density

We consider that this draft policy needs to be reviewed.

Whilst the Policy is titled "*Minimum Density*", the policy text refers only to maximum densities, stating "*new housing should be developed at maximum densities consistent with protecting the natural and built environment and providing a decent standard of accommodation and residential amenity*".

It would help if the wording is reviewed to ensure it is clear and concise, ensuring consistency between the policy name and requirement.

Current planning policy and the NPPF clearly set out expectations that density should be maximised. This is particularly important given the need for the Council to boost housing delivery to meet its housing needs in full. As a result, whilst we assume the intention of this draft policy is for proposals to maximise the densities on sites, our view is that the policy wording could be strengthened to make this clear.

Policy H7 - Affordable Housing

We are in broad support for the proposed 30% affordable housing requirement for sites of over 20 dwellings outside of the South Devon national Landscape (AONB).

However, in terms of tenure mix, we strongly suggest the mix be based primarily on up-to-date local evidence of need in the specific site area. The policy should be worded to state that the generic mix of 70% Social Rent and 30% Intermediate housing will be sought when either this is supported by up-to-date local evidence, or in the absence of any up-to-date local evidence.

Secondly, in regard to the design and integration of affordable housing, the principle is broadly supported. However, we would suggest the language is carefully considered in the context of affordable housing providers often having specific clustering and management requirements. An overly prescriptive policy, particularly in regard to the integration of affordable housing, could make the overall affordable housing requirement harder to achieve.

We of course encourage the Council to ensure that the supporting evidence base is robust and supports the proposed affordable tenure splits.

Policy H9 – Self-build housing in Future Growth Areas

Whilst we support the Council's efforts to deliver a diversified range of housing as part of the plan, we encourage the Council to ensure that the blanket requirement of 2% self-build housing within the FGA's or on sites over 100 dwellings is supported by evidence.

Once the further evidence has been published this will enable effective input on how best to plan for the identified need.

Policy H11 – Specialist housing for people in need of care or support

Whilst we broadly support the Council's aspirations through this policy, we cannot see any substantial evidence for this in the Council's supporting evidence base.

We therefore consider that further justification should be provided to support this policy.

Policy E1 – Strategic employment land allocation

We have concerns about the proposed allocation of employment land in the emerging local plan through Policy E1, specifically the extent of draft allocation E1P.5 (Land at Long Road/ Lower Yalberton Farm Holiday Park).

This specific allocation includes a portion of the bottom part of the land which Vistry Homes Ltd are promoting at Long Road, Yalberton (see plans at **Appendix 4**).

Whilst the draft allocation extend for this employment allocation covers the whole bottom field closest to Long Road, as demonstrated by the Indicative Masterplan at **Appendix 3**, the majority of this field under Vistry's control will be required for drainage attenuation and the main site access serving the wider development to the north.

As also shown in the appended Indicative Masterplan the development being promoted by Vistry Homes Ltd is entirely residential.

The eastern most extent of this specific draft employment allocation falls outside of the control of Vistry Homes Ltd.

As a result, while we have no objection to the provision of employment floorspace in this wider FGA, nor any objection to the provision of employment floorspace on the part of E1P.5 which falls outside of the control of Vistry Homes, we object to the extent of draft allocation E1P.5 as currently drawn.

We therefore request that draft allocation E1P.5 should exclude the part of the site controlled by Vistry Homes given that it will be required to deliver drainage infrastructure and access associated with the residential development to the north (referenced within the Consultation Document as sites 21P067 (Land North of Lower Yalberton Holiday Park), part of 22P001 (Yalberton Hol Pk/Berry Acres 'Link) and part of E1P.5 (Land at Long Road/Lower Yalberton Farm H). Please refer to the Indicative Masterplan attached at Appendix 3 which outlines the extent of the southern field required for the wider residential development.

In addition, as well as excluding the land controlled by Vistry Homes from draft allocation E1P.5 as requested, any allocation on the remaining extent of E1P.5 should exclude B8 employment uses. Such noisy and disruptive B8 uses would inevitably have a detrimental impact on neighbouring residents occupying homes to be delivered across the FGA. Access into the Long Road site would need to be served by a single vehicular access point from Long Road. Therefore, it would be inappropriate to provide a residential and industrial access via the same access point.

3. Land north of Long Road, Yalberton

As stated, the site which Vistry Homes Ltd have an interest in is within the Long Road, Yalberton Future Growth Area (FGA) under draft Policy SDP5. The FGA under draft Policy SDP5 is identified as a draft allocation for a total of 650 dwellings, of which 450 dwellings already benefit from planning permission and are under construction including Berry Acres and Devonshire Park. The remaining 200 dwellings are expected to be delivered on the land identified within sites identified under reference H2P.4 within the Policy H2.

The land to which Vistry Homes Ltd have a specific interest has been assessed within the Council's HELAA (and referenced as such within the Consultation Document) as sites 21P067 (Land North of Lower Yalberton Holiday Park), part of 22P001 (Yalberton Hol Pk/Berry Acres 'Link) and part of E1P.5 (Land at Long Road/Lower Yalberton Farm H).

We fully support the inclusion of the land as a draft allocation in the plan, and set out in this section why we continue to maintain that the site being promoted by Vistry Homes Ltd is entirely suitable for development.

However, before providing an update on the emerging masterplan for the site and ongoing technical work, we highlight some concerns and observations specific to this draft allocation, a number of points of which have been raised in our responses to other draft policies. These include:

- Concerns over the blanket approach to a 25% requirement for employment uses in the FGA's.
- Concerns over the need for future development in this FGA to be supported by an overarching masterplan on the basis that a significant amount of development in this FGA has already occurred' reducing the impact such a masterplanning exercise can have.
- Concerns over the extent of the whole southern field within this wider site being included as an allocation for future employment development. This as explained should be significantly reduced to exclude the land being promoted by Vistry Homes Ltd.

In terms of the request within draft Policy H2 for a comprehensive masterplan for the FGA, we have highlighted our concerns earlier in these representations about the need for masterplans to be produced to guide development within the FGA. Whilst we do not disagree with the principles of preparing such a masterplan for the FGA, we would question

the value of such an exercise for an area for which the majority of development has already been approved and under construction. Such masterplans are often required to show how larger sites can be brought forward comprehensively ensuring connectivity and placemaking principles are followed. However, we consider this will be, to an extent, challenging to achieve given that the surrounding land is already either established or committed and therefore Vistry Homes Ltd will need to consider how the Long Road site can be delivered based upon the existing position.

If the authority had wanted the FGA to come forward based on a masterplan then this should have been required prior to the delivery of other surrounding sites. Such a masterplan does not currently exist and we therefore consider such a masterplanning exercise of limited benefit.

Notwithstanding our concerns, Vistry Homes Ltd are prepared to explore this and prepared to work closely with the Council on this. Such an exercise would commonly be undertaken as part of site specific proposals in any case and therefore such information can be shared following this consultation.

Importantly, proposals for the site on should not be held up by a masterplanning exercise for the whole of the FGA. We suggest that the approach to any masterplan is discussed further between Vistry Homes Ltd and the planning policy team.

Land North of Long Road, Yalberton

The land north of Long Road, Yalberton, shown on the plan at **Appendix 1**, is suitable, available and deliverable, and there is no restriction to it contributing towards meeting the housing needs for Torbay.

All of the land within the plan outlined in **Appendix 1** is controlled by Vistry Homes Ltd and is available now to accommodate development.

It is important to highlight that a small proportion of the land within site 21P012, in the south east corner, is not controlled by Vistry Homes Ltd. Vistry Homes Ltd are however working closely with the landowner to ensure that the land is promoted as a whole and in a comprehensive manner.

The Plan attached at **Appendix 4** highlights the two different land interests across the site.

In terms of the site itself, the land covers approximately 19ha with a mix of agricultural land and the Lower Yalberton Farm Holiday Park in the south east corner.

The site covers six distinct fields separated by hedgerows, although the extent of the site does not cover each field in its entirety. The lower field adjacent to Long Road is the site of Lower Yalberton Farm Holiday Park, and is the siting for a number of caravans and associated facilities. The site is bordered to the south by Long Road, to the east by Westfield Business Park and South Devon College, to the north by the Berry Acres development, and to the west by additional agricultural fields. The topography of the site is varied and mixed.

The site is well located to access a range of local services and facilities. Within a 1.5km radius of the site there is access to a number of retail and leisure uses including four supermarkets, a high quantity of industrial/business employment area, two primary schools, equipped play areas, and public open space. This can be seen on the Context and Connectivity plan in **Appendix 5**. Beyond this, easy access to the A3022 provides a link into the centre of Paignton as well as the wider road network via the A380 towards Exeter. The bus stops at South Devon College provide a link into Paignton and beyond to Torquay via the 13, 22 and 23 services. Paignton centre can also be accessed via bicycle, with most of the A3022 having a dedicated cycle lane.

Access to the site is achieved via a single vehicular access point at Long Road. Currently this access point primarily serves the use of the holiday park in the lower field. As previously stated, a development would continue to be served by a single access point at Long Road, hence our reservations regarding the use of the land for B2 and B8 employment uses and the implications this would have not only on the residential amenity on the site but also access. As part of the development process we will be exploring opportunities to create cycle and pedestrian links throughout the FGA, with a focus on facilitating sustainable transport choices for residents and access to the local facilities along Yalberton Road. At this stage we would like to clarify that the extent to which these links can be created depends on how far other developments within the FGA have allowed for said links.

The site has previously been assessed in the Strategic Housing Land Availability Assessment (SHLAA) within the last version issued in 2013. The 2013 SHLAA assessed the site as split across two sites, references T768 and T771. T768 comprises the lower field of the site currently used as a holiday park. Within the assessment the site is found to be suitable for the development of 125 residential units, and in terms of deliverability is assessed to have “*no constraints that would render the site unviable*”. T771 contains most of the remainder of the site except for the northern most field, and also extends west to include the fields adjacent to Lower Yalberton Road. Within the SHLAA

the site is assessed to have “*no practical constraints to delivery*” however was “*considered unsuitable for large scale development*” due to the landscape impacts.

However the suitability of the site area has since been reconsidered within the context of Torbay Council’s housing land supply, calculated at 2.52 years in 2021. Within the Housing and Economic Land Availability Assessment (HELAA) undertaken in 2021, the site is identified as an ‘amber’ site, meaning there is potential for development but with constraints. The lower portion of the site (ref. 21P012) is assessed to be suitable as part of a mixed-use development, with the only constraint being potential impact on rural setting. The remainder of the site (ref. 21P067) is constrained by its steep topography. However, both sites are deemed to be suitable for bringing forward a level of residential development.

While we recognise that the site is constrained in some areas by its topography, the surrounding landscape, and as a Cirl Bunting and bat habitat, as demonstrated through the masterplan and vision document these constraints can be carefully managed. The adoption of dark corridors in key locations to the north and west of the site will mitigate negative impact on protected species, and the masterplan has set out the arrangement of the development in such a way that maximises the developable space while protecting the amenity of future residents, and reducing the impact on the surrounding landscape.

Land North of Long Road, Yalberton - The Proposal and Work Undertaken to Date

Work has been undertaken to investigate the site and to understand the opportunities and constraints, which are shown in the Development Consideration plan in **Appendix 6**. Through the identification of these key consideration, and ongoing work in key technical areas, the proposals have been further evolved from the vision submitted in the previous Regulation 18 consultation.

The proposal for the site is a residential development providing high quality new homes and public open space, as well as seeking to provide new pedestrian and cycling linkages through the Future Growth Area. The proposal will deliver up to 320 homes, 30% of which will be affordable equating to up to 96 affordable units, and opportunities for self-build plots could also be provided. The proposals will also deliver at least 10% Biodiversity Net Gain in line with national requirements, as well as sensitively integrating sustainable drainage solutions into the site layout. Improvements will also be made to the existing highway as part of the scheme, as well as the provision of a mobility hub. Landscaping and tree planting will be layered throughout the site to soften views, and there will be plenty of open space as well as ‘play-on-the-way’ and LEAP provision. Planting and sensitive layout design has also been

used to create an ecological mitigation/dark corridor. These proposals are detailed further within the Vision Document at **Appendix 6**, and the Illustrative Masterplan at **Appendix 3**.

In terms of the employment element of the FGA, as we have set out elsewhere in these representations, this would need to be contained to the area in the south east, outside of the proposed site boundary (as shown on the Land Ownership Plan at **Appendix 4**), and should include an allowance for Class E (g) uses but not B2 or B8 uses. The Class E uses could also be expended beyond simply Class E(g) to include clinics & health centres, crèche or research & development as well as leisure such as gymnasiums.

Importantly, the emerging proposals have been subject to ongoing discussion with officers at Torbay Council, in both the policy and development management teams, with the following matters raised for the project team to consider:

- Acknowledgement that there is a pressing need to boost the supply of housing in Torbay, and the site is well placed to accommodate a proportion of future growth, subject to site specific technical constraints being managed
- Any development of the site would need to provide 30% affordable housing on site
- Ongoing discussions on access for non-motorised users, and access safety between the site entrance and Long Road roundabout – however it has been acknowledged that these concerns can be overcome
- The need to ensure up to date ecological surveys, and the delivery of mitigation for protected species (namely Cirl Buntings and Greater Horseshoe Bats)
- Acknowledgement of the site being within Flood Zone 1, but also a Critical Drainage Area
- The need to consider the setting of nearby Grade II listed Lower Yalberton Farm and Higher Yalberton
- The need to consider the setting of the South Devon National Landscape and the existing landscape character typology

The above considerations have been incorporated into the development of the proposals. Set out below is the work that has been undertaken within each of the key technical areas to ensure that the emerging masterplan has reflected on the points raised by officers and updated accordingly.

Highways

There has been a considerable amount of work already undertaken in relation to highways and access, in order to ensure comfort of deliverability early in the Plan period. In this context, fully engineered drawings (see **Appendix**

7) have been developed on topographically surveyed base mapping and which confirm that a two-way carriageway road can be delivered within the extent of land-controlled by Vistry, in combination with existing public highway. The proposals also incorporate a localised carriageway refinement and changes in priorities that serve as a traffic-calming feature on approach to the new residential area and which helps to create a sense of arrival to the site.

In respect of the site's sustainability merits, analyses have been undertaken and which confirm that the site would accord with 20-minute neighbourhood principles, being that it lies within a 20-minute walk or cycle of a range of day-to-day amenities, including employment, retail, education and leisure facilities.

Whereas parts of the site lie beyond the desirable maximum walk distance to bus stops, guidance acknowledges that the quality of the interconnecting walk route in combination with the frequency of services available at the destination will encourage greater walk distances to access buses.

In this regard, the site lies to the west of the South Devon College which is the main focus of bus activity in the District, where bus frequencies are in the order of 10-services per hour during peak times. Detailed analysis identifies that less than 10% (9.6%) of the district's population have comparable access to an average of one service every 6-minutes.

As such, the site is located where it would offer almost unparalleled opportunities to travel by bus.

Overall, therefore, the development of the site can be served by a safe and efficient highway solution, and the relative opportunity to travel by non-car sustainable modes is also considered to be significant.

Ecology

The site has been subject to a full suite of ecological surveys, and desk-based studies in order to inform the emerging masterplan. The surveys were undertaken by EAD Ecology to confirm the deliverability of the site with regard to ecology through identification of ecological constraints and opportunities. The surveys included Phase 1 Habitat survey as well as Phase 2 surveys for legally protected species, including reptiles, cirl bunting, badger, bats (with focus on greater horseshoe bats) and hazel dormouse. The results confirmed that there were no overriding ecological constraints to development of the site and opportunities for delivery of Biodiversity Net Gain. The key ecological constraints and opportunities are included below:

- The site is not within or adjacent to any designated sites of nature conservation importance, although such sites occur in the vicinity.
- The site mainly comprises agricultural fields (semi-improved grassland) of low to moderate ecological value surrounded by native hedgerows, some with mature trees. There are opportunities to retain and enhance key habitats (native hedgerow, trees, species-rich grassland) and to create Priority Habitats such as wildflower meadow, wetland, native tree/woodland (e.g., within public open space and as part of drainage proposals) to deliver Biodiversity Net Gain.
- Bats- The site is within a Greater Horseshoe Bat Sustenance Zone and greater horseshoe bats and other bat species have been recorded onsite. There is opportunity for greater horseshoe bat foraging habitat and commuting routes to be incorporated into the proposed layout and for a sensitive lighting strategy to enable retention of dark 'corridors' through to the site.
- Cirl bunting were recorded within the site. Mitigation/compensation for development impacts could be provided through an 'off-setting' payment under a RSPB or Torbay Council scheme to provide suitable replacement habitat for this species.
- Dormice were recorded in the west of the site. Retention of existing habitat (hedgerow) and provision of replacement habitat (e.g., new native hedgerow, mixed native scrub) where unavoidable loss occurs, as well as sensitive working practices during site clearance, could ensure that the favourable conservation status was maintained.
- Reptiles (slow-worm) were recorded in low numbers within the site. Mitigation measures could ensure legal compliance during site clearance and new suitable habitat could be included in development plans.

Overall, it is considered that development on the site could be designed in accordance with relevant local and national policy concerning biodiversity.

Landscape and Visual

Tyler Grange have undertaken a desktop study of relevant landscape planning documents, designations and published landscape character assessments alongside a field-based landscape and visual walkover to assist in the understanding of the site and its local context in order to establish the opportunities and constraints (considerations) relating to landscape/visual matters to inform the emerging proposals for the site.

From a planning policy perspective, the site is located within a broad 'Strategic Development Area' as identified within the Torbay Local Plan 2012 – 2030. The strategic policies of most relevance to landscape and visual matters include

Policy SS8 (Natural Environment), SS9 (Green Infrastructure) and C4 (Trees, hedgerows and natural landscape features). These policies seek to ensure the preservation and enhancement (if possible) of the natural environment and Green Infrastructure with any future proposal.

The site lies approximately 1.2km north east of the South Devon National Landscape designation, and is primarily centred on the River Dart in this direction. Whilst not within the designation, consideration in relation to the National Landscape 'setting' and intervisibility/views will be required with any future proposal.

In terms of published landscape character, the Site falls within Landscape Character Type (LCT) 3B: Lower Rolling Farmland and Settled Valley Slopes, a gently rolling, semi-rural landscape characterised by mature hedgerows, woodland networks and a generally tranquil agricultural setting. Guidance for LCT 3B highlights the need to protect species-rich hedgerows, woodland and historic field patterns, ensure development respects landform and avoids skylines, and reinforce green infrastructure to maintain the area's rural character. Adjacent to the west lies LCT 3H: Secluded Valleys, a more enclosed and tranquil wooded valley landscape.

The site also sits within the "Land West of Paignton (Berry Acres / Whiterock)" Potential Future Growth Area, assessed in 2025 as having medium–low landscape sensitivity and low visual sensitivity, owing to its enclosure and existing vegetation. The proposals will include mitigation such as retaining mature field boundaries, using robust planting such as copses and hedgerow trees, limiting taller or denser development to the existing urban edge, and reducing density on more exposed slopes, with further opportunities including strengthening habitat links, providing new footpath connections and creating orchards or small woodland areas to help integrate development into the landscape.

The landscape features of the site identified include a number of mature hedgerows and trees which are largely consistent with the historic field pattern and LCT descriptions. The topography of the site slopes from the north-east corner in a south-west direction, where the site essentially forms the south-west slope of a localised hilltop, mirroring the land that is currently under construction for residential development to the north (Berry Acres). The identification of these features at this stage will ensure that the emerging scheme proposals are designed to work with the natural baseline of the site to ensure a 'landscape-led' approach.

From a visual perspective, there are no published views that the Site is visible from/the Site forms part of the view. Within the site, there are no available public views provided by PRoW, Open Access Land or any other forms of public access, whilst the presence of PRoW within 2km of the site is extremely sparse and largely contained within

urban areas. To the west and south, PRow are extremely limited, with the few that do exist being primarily located in close proximity to the River Dart within the South Devon AONB. There are likely glimpses towards the Site from these routes, however in most instances these would be very distant, with lower portions of the Site screened or filtered by a combination of mature vegetation and rolling topography. In terms views from residential properties and roads, aside from those located adjacent to the site, views towards the site are limited to glimpses from the wider landscape or in more local cross-valley views from the western side of the Yalberton Valley. Where the site is visible, it is generally observed within the context of the settlement of Paignton and/or recent development at Berry Acres.

This initial visual analysis has ensured that matters in relation to building heights, offsets, massing etc. have been considered at an early stage to ensure the emerging proposals assimilate with Paignton in visual terms. Development of the higher slopes to the north-east of the site will need careful consideration and although Paignton and Torbay as a whole has developed across many higher slopes across the Torbay coast, the future proposals will be developed in a way that ensures built form doesn't appear incongruous or disconnected from the wider settlement at the transition to the undeveloped landscape beyond.

Arboriculture

There are no Tree Preservation Orders (TPO) present on the site and no nearby Conservation Areas. There are also no woodland designations (Ancient/Priority Habitat) or any trees listed on the Ancient Tree Inventory. A BS5837 Tree Quality Survey has been carried out utilising topographic survey data which has been used to formulate a Tree Constraints Plan and associated Tree Survey Schedule. Tree cover on site is predominantly established along the field boundaries with both managed and unmanaged hedgerow trees, most of which are low to moderate quality features of collective value.

One high value tree group was identified to the north of the site which comprises a stand of elm trees (G26). This mature group displays good vigour with minimal dieback present and appear to be resistant to the Dutch Elm Disease which is widespread throughout the UK. Through conscientious master planning which exhibits landscape buffers towards the field boundary framework with a cohesive green infrastructure strategy which introduces a diverse mix of trees, the features of arboricultural importance and well-treed character of the site will be retained.

Flood Risk and Drainage

Consultations with the Environment Agency, Torbay Council and South West Water has informed the constraints and opportunities relating to Flood Risk and Surface Water drainage. The Environment Agency data confirms that the site is located mainly within Flood Zone 1, defined as follows: 'Low Probability' less than a 1 in 1000 (0.1%) Annual Probability of flooding from rivers.

Whilst there is an identified surface water flood risk in the south of the site, along Long Road, this is not an overriding constraint to the development of the site.

The general surface water discharge from the site would be restricted to the 1 in 10 -year greenfield runoff rate.

Overall, the initial assessments of flood risk and surface water constraints, demonstrates that the proposed development will be safe and can be designed in accordance with the requirements of national and local planning policy.

4. Summary and Conclusions

Overall, we fully support the inclusion of the Land north of Long Road, Yalberton as an allocation for future development in the draft plan.

The Land north of Long Road, Yalberton, is suitable and available for development and Vistry Homes Ltd have control over the majority of the land which falls under sites 21P067 and 22P001. The inclusion of these sites for the development of 200 residential dwellings is fully supported.

We have however highlighted concerns with some aspects of the wider FGA for Long Road, specific requirements set out for the site allocation itself, and concerns over the proposed employment allocation in the southern part of the site.

We have also set out a number of concerns relating to various draft policies in the plan, most notably the Council's approach to the housing requirement which we do not consider is supported by any evidence, nor is sound.

We hope that these comments will be helpful to inform the next version of the local plan, but would be very happy to assist further with any queries relating to the land being promoted by Vistry Homes Ltd north of Long Road, Paignton, particularly any discussions relating to the proposed allocation text and requirements.

Appendix 1: Site Location Plan

Appendix 2: Vision Document

Appendix 3: Illustrative Masterplan

Appendix 4: Land Ownership Plan

Appendix 5: Context and Connectivity Plan

Appendix 6: Development Consideration Plan

Appendix 7: Highways General Arrangement
