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Spatial Planning
Torbay Council
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Date: 2 February 2026
Our Ref: NP M6/0209-20

By email only:
[Redacted]

Dear Sir / Madam

RE: TORBAY LOCAL PLAN 2025 TO 2045: REGULATION 18 CONSULTATION DRAFT CONSULTATION

Tetlow King Planning represents the **South West Housing Association Planning Consortium (SWHAPC)** which comprises leading housing associations across the South West. Our clients' principal concern is to optimise the provision of affordable housing through the preparation of consistent policies that help deliver the wider economic and social outcomes needed throughout the South West region.

As significant developers and investors in local people, the SWHAPC is well placed to contribute to Local Plan objectives and act as long-term partners in the community. Our clients play an active role in affordable housing delivery in Torbay and so welcome this opportunity to contribute to the emerging Local Plan 2025 to 2045 Regulation 18 consultation.

We understand that the emerging Local Plan 2025 to 2045 will replace the existing Torbay Local Plan 2012-2030 (adopted 2015). The latest Local Development Scheme outlines that adoption of the new Local Plan is targeted for 2027, and the SWHAPC is pleased that the proposed plan monitoring period meets the minimum 15-year time horizon from adoption requirement of the National Planning Policy Framework (NPPF, 2024).

Chapter 1: Our shared vision - A healthy, happy and prosperous Torbay

The SWHAPC welcomes strong support for new affordable housing at paragraph 1.2 of the introduction which sets out that *"The Plan contains a strong Presumption in Favour of Urban Regeneration and support for affordable housing"* and *"It will be important to provide sufficient affordable housing and family homes in order to reduce the risk of labour shortages"*.

Chapter 3: Housing and regeneration policies

Paragraph 3.1 sets out that Torbay 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). As required by the PPG, the Council accepts that the proposed shortfall against the LHN figure will require robust justification. The SWHAPC anticipates reviewing this position, which the Council states will be set out in a forthcoming Topic Paper.

Strategic Policy HS: Overall housing strategy and presumption in favour of urban regeneration

Draft Strategic Policy HS sets out that the Local Plan proposes to deliver at least 400 dwellings a year, equal to 8,000 dwellings over the period 2025-2045. Whilst the SWHAPC is satisfied that the Council will apply a presumption in favour of sustainable development to previously developed land within the built up-area, this is a significant shortfall against the Standard Method figure of 950 dwellings a year.

This scale of shortfall is of significant concern to the SWHAPC, as it demonstrates that the Council is not even aspiring to meet half of its identified local housing need. Such a limited level of ambition undermines the effectiveness of the housing strategy and risks exacerbating existing pressures within the local housing market. Inevitably, this will have a substantial knock-on effect on the delivery of affordable housing, further constraining supply, deepening affordability challenges, and limiting opportunities for those most in need of secure and suitable homes.

Policy H4: Minimum density

Draft Policy H4 outlines that new housing should be developed at maximum densities. The SWHAPC broadly supports higher-density development as it enables more efficient use of limited land supply, which is particularly important in areas with high housing demand. Encouraging higher densities should allow for a higher proportion of affordable homes to be delivered in Torbay. Appropriate densification does not imply lower design standards. When guided by strong design codes and robust placemaking principles, higher-density developments can still deliver high-quality, environmentally efficient homes while still integrating well with existing character and community needs. The SWHAPC would like to remind the Council that achieving higher density development may require the relaxation of parking requirements, which would be dependent on the support and approval of Devon and Torbay Combined County Authority Highways.

Policy H5: Conversion of buildings into flats

The SWHAPC supports the conversion of existing buildings into flats, as this can make efficient use of previously developed land and contribute positively to housing delivery. Such conversions can help increase housing supply in sustainable locations while supporting the regeneration and continued use of existing buildings.

Policy H6: Loss of homes

The SWHAPC support draft Policy H6 and agree that the loss of existing homes should only be permitted where it can be robustly and clearly justified. Protecting the existing housing stock is essential, particularly in the context of ongoing housing need.

Strategic Policy H7: Affordable housing

As a general observation, the SWHAPC considers the affordable housing thresholds proposed in Table 7 to be over-elaborate. However, the SWHAPC accepts the draft wording given it is assumed that the 12 separate thresholds for affordable housing contributions in increments of only one dwellings for sites outside of the South Devon National Landscape will help to maximise the delivery of affordable housing in Torbay. However, concern is raised in response to the proposal that sites of 10-14 dwellings will not be required to deliver affordable housing on site, and instead an offsite contribution will be sought. Smaller sites have the potential to deliver much needed affordable homes and it is not clear if the Council has the resources to deliver its own affordable housing through S106 contributions.

Part 5 of the draft Policy states that the Council will seek 70% social rent and 30% intermediate housing. As currently proposed, the tenure split does not account for the full range of affordable tenures set out in Annex 2 of the NPPF and therefore does not likely provide for the full range of households in need in Torbay. We recommend that the Council uses this tenure split as a starting point for discussions regarding but that negotiations can take place on a site-by-site basis in line with evidence of up-to date local need.

Part 7 of the draft Policy sets out that all affordable units must meet the Nationally Described Space Standards and Building Regulations Part M4(2) (Accessible and Adaptable Dwellings) unless otherwise agreed. The SWHAPC suggests that such requirements should be based on a site by site demonstrated need rather than a blanket requirement taking into account viability and feasibility considerations. The SWHAPC accepts that there is a growing need for properties which comply with current Building Regulations and so we generally support this policy direction, although we reiterate to the Council that the increased delivery of such properties may affect viability and overall affordable housing delivery in Torbay.

Policy H8: Affordable housing exceptions sites in the countryside

Draft Policy H8 'Affordable housing exceptions sites in the countryside' sets out at part 1 that the development of sites for affordable housing to meet the needs of local people will as a rural exception will be supported where *"there is a proven need for affordable housing from households that have a strong local connection"*. Clarification is sought on what the Council considers to constitute a "strong local connection" and whether this definition aligns with the local connection criteria set out in the Council's current allocations policy.

Policy H9: Self-build housing in future growth areas

Self and custom build housing can have an important role in the housing market by diversifying the housing market and increasing consumer choice. Draft Policy H9 part 2 outlines that where no consumers of self-build products are found, these homes will be offered as affordable housing. The SWHAPC supports this policy position as it will help to ensure that potential housing capacity is not lost and maximises the delivery of much-needed affordable homes.

Chapter 8: Climate change - Our sustainable and resilient future

The Housing Associations of the SWHAPC recognise the critical role that they play in ensuring that residents have safe, secure and efficient homes that are future proof. Promoting sustainable development is the core objective of the plan system and it is important that all new developments continue to support this aim. However, we ask the Council to be wary of the ways in which climate change policies could impact development viability which may restrict the provision of affordable housing in Torbay.

It would be helpful and reassuring if the Council could clarify whether it has tested the deliverability of the climate change policies and explain how each of the proposed requirements have been determined. The SWHAPC considers that these requirements should be introduced alongside robust analysis of their viability, to ensure that the policies do not hinder the delivery of essential affordable housing in Torbay.

Chapter 9: Our natural places - Protecting and enhancing Torbay's countryside, landscape and natural environment

Policy NC3: Biodiversity Net Gain

Draft Policy NC3 outlines that developments will be required to provide at least 10% Biodiversity Net Gain (BNG). The SWHAPC does not object to this policy proposal, although it would be helpful for the draft Local Plan or a supplementary document to signpost how a 10% BNG can be practically achieved on site.

Chapter 10: Our shared history - Protecting and enhancing Torbay's heritage and identity

Policy HE3: Non-designated heritage assets

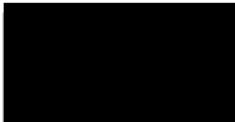
Draft Policy HE3 outlines the strategic policy for conserving and enhancing non-designated heritage assets. The SWHAPC notes that heritage policy must be consistent with national policy. At present, the draft policy outlines that *"Proposals involving the substantial or complete demolition of a designated or non-designated heritage asset, and those within conservation areas will only be permitted where they minimise the loss or harm to the asset"*. The SWHAPC considers that this draft Policy goes beyond the requirements of the NPPF, which only refers to designated heritage assets. We therefore ask that the Council makes the necessary revisions to draft policy HE3 so that it aligns with national policy.

Further comments

It would be beneficial for the Local Plan to acknowledge the role of Housing Associations in providing affordable housing in Torbay. It would be beneficial to see the Council encourage developers to have early active engagement with Housing Associations in the preparation of planning proposals. Early engagement enables Housing Associations to have an active role in the planning and design of developments to ensure that the development addresses local housing needs and meets the management requirements of SWHAPC members.

The above comments are intended to be constructive, to ensure the policies are found sound at examination. We would like to be consulted on further stages of the above document and other publications by the Council, by email only to consultation@tetlow-king.co.uk; please ensure that the **South West Housing Association Planning Consortium** is retained on the consultation database, with **Tetlow King Planning** listed as its agent.


Yours faithfully



NATHAN PRICE BA (HONS) MSc MRTPI
SENIOR PLANNER
For and On Behalf Of
TETLOW KING PLANNING



cc: Abri
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