



Historic England

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25th September 2017

Dear Mr Butler

TORQUAY NEIGHBOURHOOD PLAN – REGULATION 14 CONSULTATION

We have been advised by Torbay Council of the latest Regulation 14 consultation on the revised pre-submission version of the Torquay Neighbourhood Plan. Our apologies for not submitting this response before now but we hope it can still usefully inform the Plan preparation process.

In our response to the previous Regulation 14 consultation in October last year we drew attention to the desirability of addressing a number of issues which would help the Plan demonstrate conformity with overarching national and local planning policy. In particular we emphasised the need for adequate evidence to ensure that site based or allocation policies did not cause harm to designated heritage assets, and sought clarification in the use and status of "Aspirational Policies".

We note that following a healthcheck by a consultant Examiner the majority of ambitions are now labelled "Community Aspirations", with a small number actually categorised as formal "Policies". In terms of actual content the Plan does not appear to be materially different, though we acknowledge its restructuring and overall simplification.

Our advice can therefore be updated as follows:

1. The majority of sites identified for change are now labelled as Community Aspirations. The significance of this is not clear, nor is the weight or materiality which can or might be attributed to these provisions once the Plan is made. If for information only and not to be seen as a presumption when considering development options then they would seem to carry little weight and have minimal value in a statutory Plan context. If on the other hand the intention is to steer



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development in the direction and manner indicated by the Community Aspirations then there must presumably be a strong suggestion of deliverability which needs then to be substantiated by evidence.

2. From the documents available for this latest consultation there appears to be no additional evidence to that previously available. We are therefore concerned that sites could be promoted for development with the best of intentions but which may well end up harming designated heritage assets on an unwitting hostage to fortune basis.
3. We are confused by the provision of housing within the Plan. P12 of the Plan states that it is allocating sites for approximately 1232 dwellings. Housing and Development Policies are set out from p13 in the Plan and span policies H1 – H19. None of these appear to formally allocate sites for housing. However, p22 of the Sustainability Appraisal Report dated August 2017 states that six sites (NP1 – NP6) are allocated and a traffic light methodology is used to assess them against sustainability objectives, including “maintain and enhance the historic environment”.

There is no evidence on how relevant heritage assets have been assessed or how the Report has arrived at its individual and overall conclusions about the effect of the Plan on the historic environment. If it is the intention of the Plan to deliver a quantum of housing development over the Plan period it would be useful if the manner of its allocation, delivery and evidence base could be made clearer. It should be noted that unless the Local Plan has itself undertaken a thorough heritage assessment of the sites which this Plan is apparently drawing upon it cannot automatically be assumed that they are suitable for development as proposed without further investigation.

4. Planning Policy J1 identifies “Designated Employment Sites”. What is not clear is whether this policy is actually designating new sites or confirming the status of those which already exist. Similar to point 3 above, the site appraisal methodology in the Sustainability Appraisal Report is not clear nor the evidence upon which it bases its conclusions.
5. It is not clear whether Policy TR3 is actually allocating land for a Park and Ride site at Gallows Gate. The removal of ambiguity would be helpful.
6. There is an extensive number of policies relating in various ways to the protection and enhancement of the area’s historic environment which we are pleased to see. We have previously highlighted that wording may need review or evidence in some cases to ensure intention and wording comply with overarching planning policy. To some extent such observations still apply: it is not clear why Policy H16 covers just Grade II Listed Buildings, for example; and with Policy J8 it is important to bear in mind that the contribution made to the conservation area by buildings needs to consider them in their entirety – it may not be just the facades which it is desirable to see retained.



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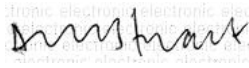
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In overall terms our advice is that there are still some key aspects of the Plan which would benefit from further attention. We would encourage your community to address the points above before formally submitting the Plan to Torbay Council for examination.

Yours sincerely

A handwritten signature in black ink, appearing to read 'David Stuart', is centered on the page. The signature is written over a faint, repeating watermark of the word 'electronic'.

David Stuart
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