

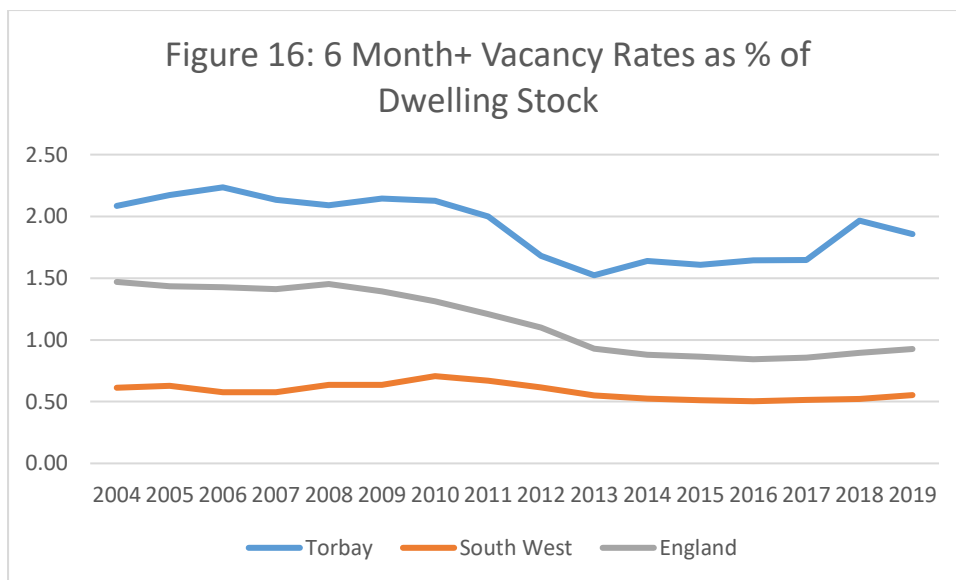
## Key Lines of Enquiry and Responses

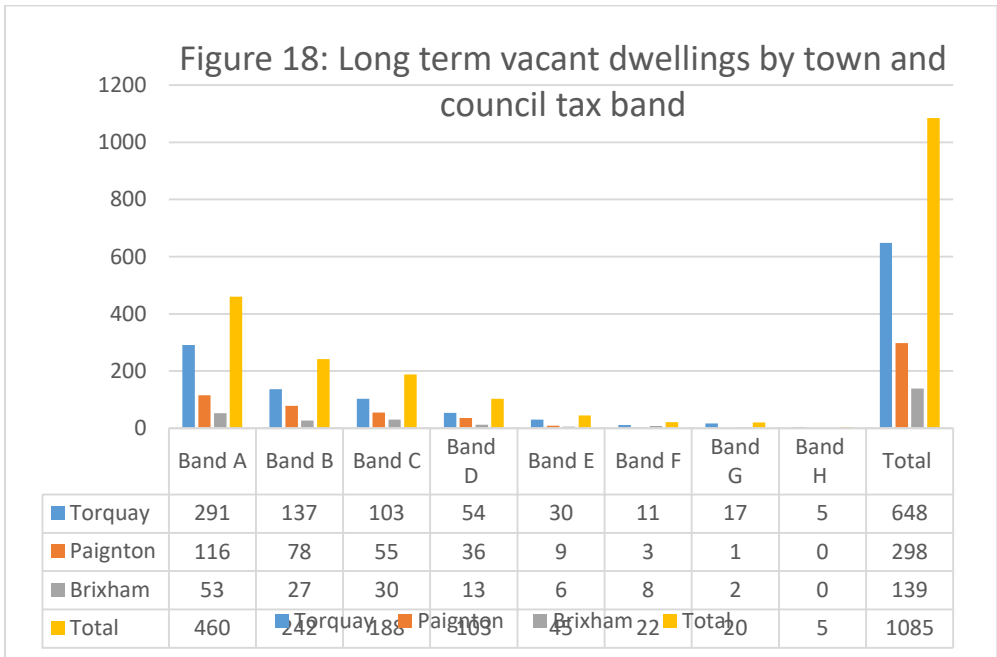
- How many properties are empty or have been empty for longer than six months in Torbay? What is being done to bring empty properties back into use, including grants and organisations available to assist homeowners?

See figures 16-18 (p21 et seq.) of the Housing Delivery Test Action Plan 2021 [Evidence Base and Monitoring - Torbay Council](#)

Torbay has had higher than national rate of vacant properties since the early 2000s (at least). At April 2021 there were 1085 properties that had been vacant for 6 months or longer. This is 2% of the housing stock: compared with a national rate of about 1% long term vacancy. A high proportion of 6+ month vacant dwellings are small apartments (Council tax band A-B) and there is roughly a 40% churn in the 6+ Month vacant stock each year: so in the main the same properties are not vacant in the very long term (longer than 5 years).

This may point to sluggish demand for apartments and a high level of poor quality accommodation.





- What action is being taken to monitor second homes which are empty and not being used? Are there any policy decisions that could be taken to reduce the number of second homes, taking into account that Torbay is a tourism destination?

This is something for Council Tax to comment on, but it appears that some of the above higher council tax band “vacant” properties are second homes (or buy to leave investments).

Whilst second home ownership is higher in Torbay (2.3) than in England and Wales (1.2%), it is lower than other Tourism “hotspots” e.g. Cornwall 5%, South Hams 8.3%, North Devon 3.9% [House prices in tourist hotspots increasingly out of reach for young and low paid - Office for National Statistics \(ons.gov.uk\)](https://www.ons.gov.uk/peoplepopulationandcommunity/healthandsocialcare/longevityandlifeexpectancies/articles/housepricesintouristhotspotsincreasinglyoutofreachforyoungandlowpaid/2019-07-18)

ONS data suggests a boom in second homes being let as holiday lets during the Covid pandemic. The rise of “AirB&B” and similar platforms will also affect genuine holiday businesses.

- How is the planning system being utilised to bring forward suitable housing e.g. larger family homes, single units, units for care experienced young people or units assist adults to live independently, people with a disability? How are funds such as Disabled Facilities Grants and the Better Care Fund being used to help with suitable adaptations?

This is quite a wide question.

Policy SS11.13 resists the conversion of modest size houses to small flats or HMOs in area of deprivation.

Policy DE3 “Development Amenity” seeks to provide a good standard of accommodation. It is regularly supported at appeal despite the operation of the Presumption.

Policy H6 “Housing for People in Need of Care” seeks to reduce the number of converted Class C2 care homes and encourage greater living at home and a range of supported specialist housing products.

Note that there is a policy dilemma in that Torbay’s population growth is entirely driven by net inwards migration of older people. Whilst the needs of older age groups need to be met (and

can free up family housing) the cost of providing for older people will be a very heavy burden on Torbay in the future. There is a need to seek to rebalance the local housing market.

The most recent population profile for Torbay and its implications for older age groups is available at:

[http://southdevonandtorbay.info/media/1282/population\\_torbay\\_2021.pdf](http://southdevonandtorbay.info/media/1282/population_torbay_2021.pdf)

**Fig 3: Estimated net internal migration by age group**



Source: Office for National Statistics internal migration estimates, 2020. Estimates may have been affected by the pandemic as movement may not have been accompanied by timely updates to the administrative data used to produce the estimates

- How many potential homes are there in Torbay with Planning permission that have not yet been built and what is the reason for this?

The April 2021 Housing Monitor indicates 1373 dwellings with planning permission that have not been started, and a further 494 dwellings under construction at 1<sup>st</sup> April 2021

See Section 3 of the HDTAP for reasons why sites have not been built out. Reasons considered are: development scepticism, environmental constraints, supply shortages (Brexit and Covid), lack of demand and over supply of apartments, a significant amount of allocations being on regeneration sites with complex site assembly issues.

- How many potential brown field sites are identified within the Local Plan or Neighbourhood Plans that have not been brought forward for development. What are the reasons for this and what incentives could be used to encourage developers to bring forward development on these sites?

Section 3 of the 2021 HDTAP

As a rough indicator, over 5,000 of the 8,900 dwellings identified in the Adopted Local Plan 2012-30 (Adopted 2015) are on sites that are likely to yield apartments.

### Un- built permissions

3.12 At April 2021 there were 1,373 dwellings with planning permission and 494 dwellings under construction. In addition to these, there was capacity for approximately 2,100 dwellings on non-started sites allocated for development in the Local or Neighbourhood Plans, the main sites being:

- Torquay Gateway (circa 550 dwellings, Adopted Masterplan SPD)
- Collaton St Mary. Paignton (Circa 460 dwellings, Adopted Masterplan SPD)

- Great Parks Phase 2, Paignton (circa 400 dwelling, planning brief)
- Hollicombe Former Gas Works, Preston (185 apartments with planning permission granted in 2007)
- Council Regeneration sites in all three town centres.

3.13 The Council's measures to deliver the remaining allocated sites is set out in part 4. It is worth noting that Great Parks Phase 2, Hollicombe and the town centre sites were all allocated in the former Local Plan which was adopted in 2004.

**Figure 10: Number of Dwellings with Planning Permission or Allocated in the Development Plan, 2021.**

	<b>No. of dwellings with planning permission on not started sites</b>	<b>No. of homes not started on sites that have been commenced.</b>	<b>Dwellings under construction at 31/03/21</b>	<b>Dwellings completed 2020/21</b>
Torquay	234	280	299	104
Paignton	522	290	146	130
Brixham Peninsula	25	22	49	3
<b>Total</b>	<b>781</b>	<b>592</b>	<b>494</b>	<b>237</b>

Source: Torbay Council Housing Monitor and HELAA

- Are there any charges that could be put on land which has planning permission and is not being developed within a specified period e.g. 2 years?

The LPA could impose shorter time period for commencement of planning permissions and there is general advice to minimise the use of pre-commencement conditions.

However, charging developers for unbuilt out planning permissions would probably require new government legislation. (Specifically it would probably be unlawful under Regulation 122 of the CIL Regulations if such charges were imposed as a planning contribution).

- How does the outcome of the HELAA and HENA contribute towards bringing forward more affordable houses?

The HELAA (Housing and economic Land Availability Assessment) provides advice about the suitability, availability and achievability of potential housing land. Whilst it may identify new sites, it does not make planning policy- but rather informs the Local Plan Review.

There is nothing to stop the Council/TorVista or partner RPs making planning applications outside of the Local Plan process, and benefitting from the Presumption in Favour of Sustainable Development. It is likely that urban sites, including re-use of car parks and other regeneration opportunities are the best options for this. Work is under way with Alistair Allender to identify potential sites.

The HENA (Housing and Economic Needs Assessment) provides housing market intelligence about the need for different types of affordable and other specialist housing. The HENA is useful for policy making. Without up to date evidence that there is an affordable housing need, it would be more difficult to justify seeking affordable housing through S106 Obligations on new housing development (although the need for affordable housing is rarely challenged by housebuilders these days- the challenge is usually on viability grounds).

The HENA is available in draft form and should be finalised by the end of November, following peer review. The HENA identifies a gross annual need for 575 affordable rented homes per year. On average there are 282 relets per year; which results in a need for around 293 affordable homes for rent per year. (Which equates to about 237 dwellings a year above current delivery). The interim findings suggest an annual shortfall of 72 intermediate affordable homes per year. This brings the overall affordable housing need (which is a different concept to the Standard Method need) to about 309 dwellings per year.

It will be noted that the HENA figure is lower than the 2011 Strategic Housing Market Assessment (SHMA) which assessed a need for around 500 affordable homes a year. This is because of different assumptions (the 2021 HENA allows 10 years to clear the backlog of need, and that a higher proportion of incomes can be spent on housing costs).

- Have there been any recent help to buy schemes and what is being done to encourage similar schemes, particularly to help younger people onto the property ladder?

We don't monitor this. Not sure if publicly available at local level – we may have to approach the building industry. Anecdotally, a lot of the new housing on the Western Corridor built in the last decade has been bought by Help to Buy – and has been a contributing factor to increased birth rates from younger people getting on the housing ladder.

- What is being done to work with our neighbouring local authorities to help increase local housing supply?

Paragraphs 24-27 of the NPPF set out “Maintaining Effective Cooperation” and require LPAs to prepare statements of common ground to address cross boundary issues and cooperate on them. Paragraph 61 of the NPPF requires that *“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”*.

Torbay has generally been considered to be a relatively self contained Housing Market Area (HMA), according to the assessment in the (then) Exeter and Torbay Strategic Housing Market Assessment (SHMA). All the time that Torbay considered that it could meet its own needs internally, there was little mileage in challenging the assumption that the HMA largely corresponded to the UA boundaries. However, given the high level of outwards commuting from Torbay to the Greater Exeter HMA and Functional Economic Market Area (FEMA), and significant retail, educational and healthcare functional links, it may be worth reassessing this.

Torbay is bordered by two housing market areas (HMAs). To the north is the Greater Exeter HMA comprising Exeter, Teignbridge, East Devon and Mid Devon. Torbay's functional relationship with the Greater Exeter Area is strong (see TTWA data below). There has been contact at officer level with the former GESP authorities to identify that Torbay was likely to be unable to meet its housing needs.

## Torbay: Main travel to work relationships (2011 census).

Torbay: Travel to work areas (2011 census).			
	Inward	Outward	Net (negative indicates outward commuting flow)
Torbay	8,591	12,977	-4,386
Torbay-Teignbridge	4,736	5,192	-456
Torbay- Exeter	385	2,127	- 1,742
Torbay-Plymouth	675	784	-109
Torbay- South Hams	1,986	2,668	-772

In April 2018 I wrote to the GESP authorities to set out that there is likely to be a shortfall in Torbay's ability to meet its needs post 2030. A shortfall of 2-3,000 dwellings was seen as most likely.

The former Greater Exeter Strategic Plan (GESP) has been abandoned, and each area is preparing its own Plan. (Subject to the Duty to Cooperate). Torbay has made representations to Teignbridge and East Devon, on their Regulation 18 Local Plan consultations that it will need assistance in meeting its housing numbers. Teignbridge is the closest neighbour and officer discussions are ongoing with TDC. Torbay Council's representations on the Teignbridge Local Plan Review on 9 August 2021 states:

*"As Torbay officers have previously set out, Torbay is currently updating its Local Plan Housing Policies, with a view to seeing whether the Torbay Local Plan housing requirement/Standard Method need calculation is achievable by 2030. Both of these calculations would (coincidentally) require the creation of about 6,000 new dwellings in Torbay between 2020-30. Given that Torbay's long term housing completions rate since 1980 is about 430 dwellings a year, and the level of environmental constraints on remaining land, this figure will be extremely challenging. As you are aware, Torbay is currently carrying out a Housing Land Availability Assessment (HELAA) and the initial finding from this should be available in September. It would be useful for Torbay to have a further Duty to Cooperate/SOCG meeting with Teignbridge and other neighbouring authorities at that time to discuss our positions in more detail. However, without prejudice, it seems very likely to me that Torbay will be unable to meet the Standard Method level of housing need and will have to ask neighbours to seek to accommodate some of our needs as set out in paragraph 61 of the 2021 NPPF.*

*We note that Chapter 4 "Heart of Teignbridge" includes sites in the Kingskerswell area, particularly 2 Fluder Farm, Torbay Fringe and 3 Vinegrove, Torbay Fringe. We appreciate that these site will need careful assessment as to their landscape and ecological impacts. The maintenance of a strategic gap between Torbay and Kingskerswell is a longstanding policy objective for both Torbay's and Teignbridge's local plans. However, these are in an area that was classified as being within the Torbay housing market area in the 2007 SHMA and development of the sites would clearly help meet the above identified strategic need."*

Note that both councils are exploring opportunities in the land between Kingskerswell and Torquay (which are in the Torquay HMA).

There is ongoing discussions between Torbay and Teignbridge on the Duty to Cooperate.

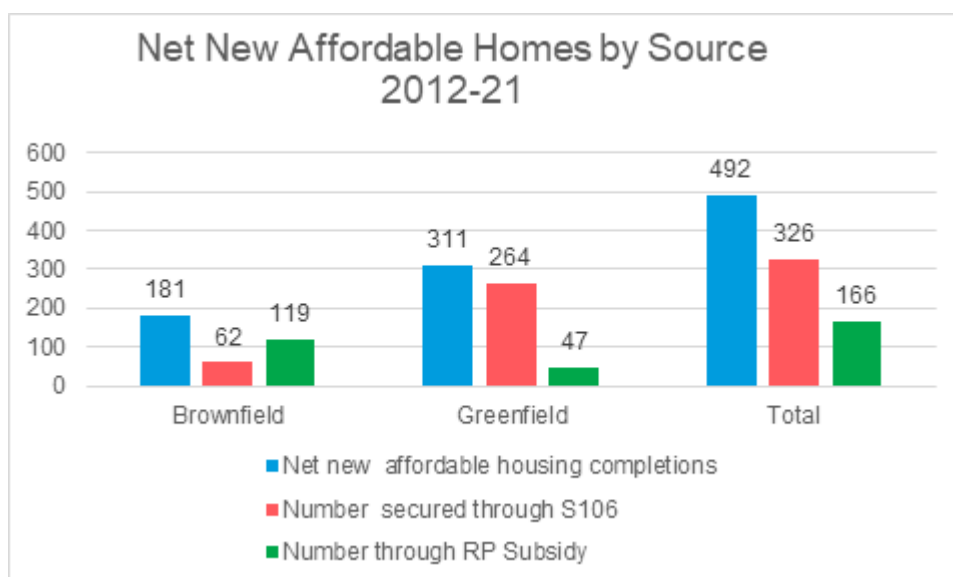
- How many affordable homes have been built since the last Local Plan?

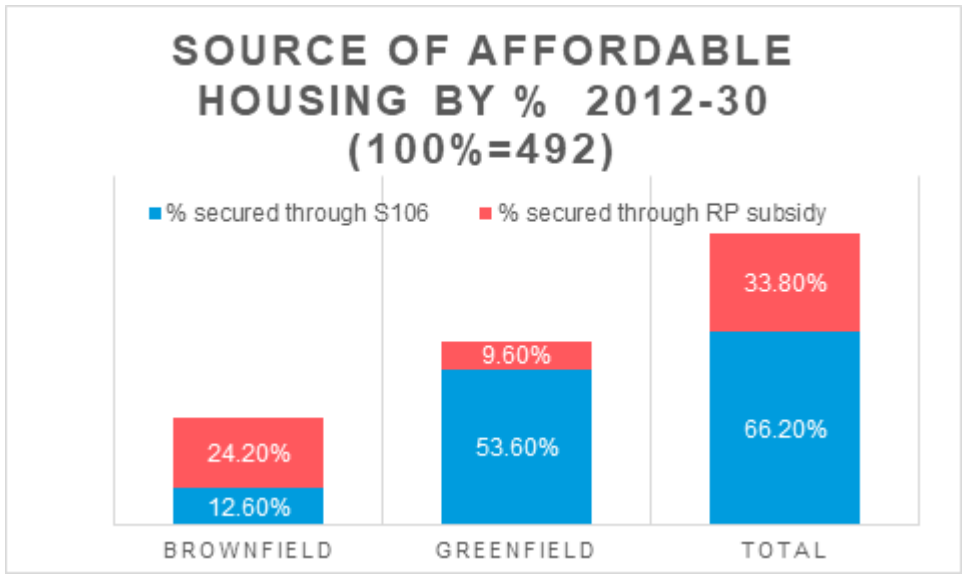
Note that different data sources have different figures for affordable housing numbers. The following are from the Council's housing Monitor and the TDA.

Over the 9 year period since 2012 there were 492 net affordable homes built. An additional 23 homes were provided by purchasing existing dwellings, bringing the total number of new affordable homes to 523. (These used to be called "Existing Satisfactory Purchases". They are not new dwellings and so not included in the analysis below). For completeness the gross number of affordable dwellings created was 597, as some of the RP developments came from redeveloping existing affordable housing areas e.g. at Hayes Road, Paignton.

Of the 492 net new affordable housing completions, 311 were from greenfield sites and 181 from brownfield sites (63% greenfield to 37% brownfield). 326 (66.2%) affordable homes were delivered through the planning system (i.e. via S106 agreement required by Policy H2 of the Local Plan and its predecessor). Of these S106 dwellings, 264 were on greenfield sites and 62 on brownfield sites (the largest brownfield S106 sites being former holiday camps at Marine Park, Paignton and Wall Park, Brixham). In other words, S106 brownfield sites achieved 12.6% of affordable housing supply; whereas greenfield s106 sites achieved 53% of supply.

The remaining 166 dwellings (33.8%) were secured via Registered Providers/TDA providing in excess of the S106 requirement. Of these "RP" sites 119 were on brownfield sites, the largest number coming from the redevelopment of Hayes Road, Paignton. The Beechfield development on (greenfield) council land at Scotts Bridge, Torquay delivered 90 affordable homes overall, which is 47 more than would have been achieved through S106 requirements on the site.





**Affordable Housing site completions NET 2012-21**

2012/13	Scheme	#'s	Planning s106
	Torre Marine, Torquay	10	10
	Watcombe (Helensmead Close – existing dwellings)	2	
	Beechfield Ave, Torquay	12	12
	Torquay Boys Grammar School site	4	4
<b>2013/14</b>	<b>Scheme</b>	<b>#'s</b>	
	Smallcombe, Paignton	13	
	Langridge Rd, Paignton	10	
	Beechfield Ave, Torquay	90	43
	Hayes Rd, Paignton	0	
	Southview Rd, Paignton	4	
<b>2014/15</b>	<b>Scheme</b>	<b>#'s</b>	
	Hayes Rd, Paignton	73	
	Preston Down Rd, Paignton	12	
<b>2015/16</b>	<b>Scheme</b>	<b>#'s</b>	
	Yannons Farm, Paignton	8	8
	Elberry Gardens, Paignton	10	10
	White Rock, Paignton	8	8
	Marine Park, Paignton	20	20



2016/17	Scheme	#'s	
	Wall Park, Brixham	16	16
	White Rock, Paignton	11	11
	Yannons Farm, Paignton	10	10
2017/18	Scheme	#'s	
	Yannons Farm, Paignton	4	4
	Primrose Hill, Torquay	18	18
	Wall Park, Brixham	4	4
2018/19	Scheme	#'s	
	Wall Park, Brixham	6	6
	Primrose Hill, Torquay	30	30
	Alfriston Rd, Paignton	24	24
	White Rock, Paignton	26	26
	Yannons Farm, Paignton	5	5
2019/20	Scheme	#'s	
	Bishops Place, Paignton	7	
	White Rock, Paignton	33	33
	Yannons Farm, Paignton	5	5
2020/21	Scheme	#'s	
	Bishops Place, Paignton	6	6
	White Rock, Paignton	7	7
	Luscombe Lane, Paignton	6	6
	Next steps (various off the shelf purchases Torquay & Paignton)	21	

515

326

		12/13	13/14	14/15	15/16	16/17	17/18	18/19	19/20	20/21	
TQY	Bf	10	0	0	0	0	0	0	0	0	10
	Gf	16	90	0	0	0	18	30	0	0	154
PTN	Bf	0	27	85	20	0	0	0	7	6	145
	Gf	0	0	0	26	21	4	55	38	13	157
BXM	Bf	0	0	0	0	16	4	6	0	0	26
	Gf	0	0	0	0	0	0	0	0	0	0
NB. These figures do not include the 23 off the shelf purchases (i.e. not via the planning system)											

Bf	181	37%
Gf	311	63%
Total	492	

- What was the affordable homes need at the start of the current Local Plan period?

See above- 500 dwellings per year according to the 2007 and 2011 SHMA. But the methodology has changed between the SHMA (500) and the HENA (309) so they are not comparable. Over the decade 2011-21 House prices have risen in real terms and incomes have fallen in real terms, so the level of need for affordable housing is likely to have risen. [shmatorbayupdate.pdf](#)

- How much land is there left which is physically available for housing across Torbay including the number of housing this land can provide? How many of these are predicted as affordable?

This is a matter for the HELAA. Torbay is about 60% urbanised. Torbay has a land area of 62.9 sq km; so roughly 25 sq km is undeveloped. However not all of this land is suitable for development. Around a quarter of the countryside area is AONB and 40% is undeveloped coast. Other areas are within flood risk areas. There is significant ecological importance with greater horsehoe bat flight paths and landscape connectivity zones. Most agricultural land isw habitat for cirl buntings.

The HELAA assesses that the stock of housing land (which includes urban as well as rural sites) is broadly as follows:

- Sites with permission or allocated in the development plan 1740 dwellings
- Sites with minor constraints 1730 dwellings
- Sites with significant constraints (e.g. AONB, Undeveloped Coast, close to SAC) 3940 dwellings

In addition, a significant proportion of Torbay’s housing comes from windfall sites

Members have not asked Officers to update Policy H2 of the Local Plan which sets out affordable housing requirements. Therefore affordable housing is sought on the basis of:

- Brownfield sites of 15-19 net new dwellings: 15%
- Brownfield sites of 20+ net new dwellings: 20%
- Greenfield sites of 15-29 net new dwellings: 25%
- Greenfield sites of 30+ net new dwellings: 30%

- What action is being taken to encourage more development of brownfield and stalled sites to bring forward new housing.

There is a Principal Officer appointed to help implement regeneration schemes. Development management have a pre-application advice service.

The Housing Delivery Test Action Plan Sections 3- 5 describes measures to boost housing supply. Section 5 looks at specific sites and progress on them. [Evidence Base and Monitoring - Torbay Council](#)

- How much Section 106 money and Housing Grant Fund is in the pot for affordable housing and how much do we anticipate we need going forward?

The current figure in the pot for affordable housing is £657,000 and is made up of right to buy receipts and any commuted sum receipts via S106 agreements.

The Council’s infrastructure Funding Statement for 2020 is at: [finaltorbayifs23dec2020.pdf](#) Unfortunately, it doesn’t provide a breakdown for affordable housing – although most affordable housing S106 require on-site provision. At page 12 the IFS indicates that £11,489 of S106 receipts were spent on housing in 2019/20. This is a relatively small amount and would not even amount to the commuted sum sought for 1 affordable dwelling.

### 3.4. Headline Figures

#### Monetary Contributions

<b>Total money to be provided</b> <sup>16</sup> through planning obligations agreed in 2019/20	£5,330,631.77 <sup>17</sup>
<b>Total money received</b> <sup>18</sup> through planning obligations (whenever agreed) in 2019/20	£608,393.87
<b>Total money</b> , received through planning obligations (whenever agreed), <b>spent</b> <sup>19</sup> in 2019/20	£1,549,291.15
<b>Total money</b> , received through planning obligations (whenever agreed), <b>retained</b> <sup>20</sup> at the end of 2019/20 (excluding “commuted sums” for longer term maintenance).	£3,260,920.76
<b>Total money</b> , received through planning obligations (whenever agreed), <b>retained</b> at the end of 2019/20 as “commuted sums” for longer term maintenance.	£0 <sup>21</sup>

#### How much funding is needed going forward?

This is difficult to answer, as most schemes are likely to be on urban regeneration type sites, which often have additional costs e.g. for decontamination, flood resilience etc.

The HENA assesses an annual need for 237 rented affordable homes and 72 intermediate homes above what is currently being delivered through the planning system.

The Planning Contributions and Affordable Housing SPD assessed the subsidy required to deliver an affordable home (i.e. cost minus value of income through rent etc) as being: £77,000 for a smaller dwelling (£85,500 in 2021 prices) and £108,000 for a larger dwelling (£120,000 in 2020 prices) [CIL and Planning Obligations - Torbay Council](#)

To provide 237 small rented apartments would cost: 237 x 85,500= £20,263,500 per year. Which is clearly far more than will be available.

- What happens to money from right to buy and does it have to be reinvested back into affordable or social housing?

As part of the large scale voluntary transfer agreement in 2001 where Torbay Council transferred its stock to Riviera Housing there is an obligation on the current owner Sanctuary to provide Torbay Council with a % of any Right to Buy receipts. Please note as part of this transfer agreement the % paid back to Torbay Council reduces year on year over a 30 year period. Any money received as part of this process is ringfenced for the purpose of delivering further affordable housing as per the decision at full Council.