

STATEMENT OF KAREN KENNEDY, WARD COUNCILLOR FOR CHURSTON WITH GALMPTON

I am Councillor Karen Kennedy. I represent the Churston with Galmpton ward on Torbay Council, the ward in which this development is proposed. I am Lead for Place on the Overview and the Scrutiny Board and joined the Planning Committee in November 2020.

I am aware Torbay Council has chosen not to defend the Land Supply statement published in July 2020 which set out that our authority area has a 3 year land supply. And it is not my intention to challenge the instruction given to our legal representative.

My purpose is to provide some background as to why this situation has arisen and provide information to this inquiry so that you, Sir, can consider how much weight to give to this point. It is my belief you should give the land supply point raised by the appellant very little weight.

Torbay is the most deprived local authority area in the South West region, and within Torbay around one-in-three of the population live in areas in the top 20% most deprived in England according to the published 2019 English Indices of Deprivation data.

The consequence of this deprivation can be seen clearly in planning terms. Consented sites are stalled, for example Paignton site at Hollicombe for 185 dwellings has lain dormant since 2015 when the developer completed all decontamination works.

This lack of financial resources and historical personnel issues in the planning department has meant our Local Planning Authority has been, for many years, excessively risk-averse and excessively cautious in its land supply calculations.

For example, in March 2018 Torbay Council won a 3.9 million pound funding award under the Government Land Release Fund to unlock 3 sites for housing development and deliver 570 new homes. As a Council we have complied with our obligations under the grant award and submitted regular monitoring reports to Government. These monitoring reports state we are on track to deliver the homes on the three sites in 2, 3 and 5 years respectively, starting this month, January 2021. However, in our Council's published Land Supply Statement which evidences our 3 year supply, only 260 of the 570 homes were included.

It was examples such as this causing conflict with our communities which led to our Council obtaining legal advice from Mr Robert Williams as to what sites should be properly included in a Land Supply calculation. His advice is before this Inquiry in the Appellant's Proof of Evidence at Appendix 3. However, in my capacity as Overview and Scrutiny member, I learnt Mr Williams was unfortunately never provided with any monitoring reports pertaining to the Land Release Fund sites despite these delivery milestones serving as key evidence the sites are deliverable and should have been included.

Further examples as to how the land supply calculations have reflected the risk averse nature of the Local Planning Authority can be seen through largely only sites with planning permission being included; the number of units included reflect masterplan figures rather than the higher granted permission figures; the windfall calculations fall at the extreme end of a conservative spectrum; and a brownfield site with planning permission has failed to be included as the developer has stalled the site.

Our Council's extremely restrictive interpretation of 'deliverable' also led to a site under a compulsory purchase order, on which planning permission was granted last month, not being included in the calculations last year or the year before. All these under calculations have dramatically affected our ability to achieve and defend a 3 year land supply.

The sudden and unexpected announcement on 30 November 2020 that we will not defend our land supply was explained to Councillors as being due to an expectation that the 5% shortfall buffer was expected to rise to 20% at some point in the future. However that announcement by Government has not yet happened. It is uncertain as to when it will happen if indeed it will happen at all. Yet Torbay has already put it in place.

With just the 5% buffer and our rather narrow interpretation of 'deliverable' we have a 3 year land supply. With a 20% buffer our shortfall over 3 years stands at around 300 units which could be found by including all our Land Release Fund sites, our stalled site and the site being compulsory purchased.

Although I am unable to provide details due to the sensitive nature of this information, I have sadly been made aware of many specific examples of covid windfalls due to occur very shortly in our Neighbourhood Plan area.

I would like to add here that Torbay is not without ambition to meet the housing requirements of our residents. We have set up and funded our own housing company which will build and allocate affordable homes on a level that would take too long to attain through new developments. Our housing need figures in the Local Plan are currently under review while we have 3 Neighbourhood Plans not yet 2 years old which support, enhance and reflect the aspirations of all the communities across Torbay.

We have also recently won Government funding for the regeneration of Torquay which is expected to deliver around 550 new homes, and Government funding to boost Paignton's rundown town centre.

It is my belief that, as the presiding Inspector, the weight you give to the stated position that Torbay Council has a less than 3 year land supply is discretionary. I therefore respectfully request that you give this land supply figure limited weight in light of the points I have raised with you today, and the effect your decision will have on our newly made Neighbourhood Plans.

On behalf of our residents I thank you for allowing me the time to speak. A copy of my statement has been forwarded for your records.