

7. COMMUNITY EDUCATION AND HEALTH FACILITIES

Achieving a sense of community

7.1 Torbay contains several distinct communities which rely on facilities such as schools, hospitals, health centres, social clubs, community centres, churches and libraries to enhance the quality of life. Such facilities help to create a sense of neighbourhood and engender an awareness of the presence of urban villages.

7.2 Several community services, especially education, health and social services provision, often serve a wider area than Torbay, reflecting its role as a sub regional centre for South East Devon.

7.3 As a Unitary Authority, Torbay Council has responsibility for a wide range of community functions, including social services, education and library services. There are in addition many other groups with responsibilities for community services. The South Devon Healthcare NHS Trust and primary care groups have statutory responsibilities to discharge their functions. Other organisations, representing a wide cross-section of voluntary groups, charities and the private commercial sector, seek to meet a variety of community needs in Torbay, ranging from pre-school play groups to elderly persons' homes and day centres.

Figure 26: Elderly population age structure

Age Group	% of total population			
	Torbay	Devon County	South West	England & Wales
0-14	16.77	16.88	17.81	18.88
15-64	60.60	62.19	63.54	65.14
65-79	15.33	14.90	13.41	11.76
80+	7.32	6.03	5.24	4.21

Source: 2001 Census, Torbay Council.

7.4 An important factor in assessing Torbay's community needs is the relatively high proportion of elderly people (see **Figure 26**), which puts great pressure on health care and social provision. This has a major influence on the kind of facilities required. There was a very large increase (over 500%) in private elderly persons' homes and nursing homes between the mid 1970's and 1990's, although the number of such homes is now falling. Such change has affected

the character of certain residential and holiday accommodation areas. The seasonal influx of tourists also puts added strain on health care facilities.

Meeting community needs

7.5 Meeting the social needs of everyone in the context of a balanced community is now recognised as a key aspect of sustainable development and the Local Plan sets out a range of policies and proposals in an attempt to address the key issues which can be influenced by the planning process. PPG12 'Development Plans' (1999) advises that development plans should have regard to social considerations such as social exclusion and crime prevention. They should also provide land for schools and higher education, for places of worship and for other community facilities (paragraphs 4.13 - 4.15). Emerging Planning Policy Statements (PPSs) also place emphasis on community provision, including the need for planning to promote safe, sustainable and liveable communities with good access to jobs and key services.

7.6 The Local Plan is one of several documents aimed at creating sustainable communities. In particular the Local Plan focuses upon land use aspects. The Social Exclusion Unit's 'National Strategy for Neighbourhood Renewal' has highlighted community services as a key area in ensuring urban regeneration.

7.7 The Council has a number of other strategies that address social inclusion, and sustainable communities. In particular 'Transforming Torbay, Making Change Happen' (2004) sets out strategic priorities and targets. A crucial element of these is partnership with other bodies such as statutory organisations, charities, faith groups, families and individuals. The Local Government Act 2000 requires local authorities to prepare community strategies which will aim to improve economic, social and environmental well-being of an area. The Local Strategic Partnership comprises a wide range of public, private and voluntary sector organisations. The LSP has published a Community Plan for Torbay (2004), which identifies housing as a key priority. The Community Plan for Torbay identifies eight themes:-

1. Community safety - making Torbay a safer place
2. Health and social care - improving health and social care in Torbay
3. Affordable housing - improving access to good quality affordable homes
4. Economy - towards a prosperous economy
5. Environment - valuing our environment

6. Life long learning - placing learning at the heart of our community
7. Culture - developing Torbay's culture
8. Sustainable communities - creating sustainable communities

Neighbourhood community facilities

7.8 Some housing estates in Torbay are lacking in community facilities, which is especially serious in areas with high levels of deprivation. **Policies CFS** and **CF1** set a framework for providing and improving community facilities where appropriate. These generic policies cover a range of facilities, for example libraries, places of worship, pre-school play groups and the dual use of facilities. The Council remains committed to the principle of providing such facilities and encouraging their optimal use. The need to provide for community facilities at the outset of planning for major residential areas is recognised. **Policy CF2** promotes crime prevention as a central feature of new development.

7.9 Torbay's serious housing problems have contributed to heavy pressure for the development of hostels. **Policy CF3** seeks to address this issue positively, whilst setting out safeguards to protect tourism, residential amenity and the environment in general.

7.10 Torbay is running out of cemetery land and the existing cemeteries have no room for expansion. **Policy CF4** allocates two new cemetery sites, at Collaton St. Mary in Paignton and Mathill Road, Brixham and promotes the ecological management of these sites.

7.11 The continued refurbishment and increased community use of the Torquay United stadium at Plainmoor is also supported, subject to amenity considerations (**Policy CF5**).

7.12 It is recognised that the Council is unable to fund all of the demand for community facilities generated by new development. Developer contributions are therefore an important way of securing better quality development, within the scope of central government guidance. **Policy CF6** covers general infrastructure contributions and **Policy CF7** addresses education provision.

Education

7.13 Policies CF8 and **CF9** list all the sites allocated in the Local Plan for school development. A new primary

school development is proposed at Great Parks to serve the new community. A new primary school on the site of the former Westlands Lower School is also proposed. Several existing primary and secondary schools will need to be expanded and redeveloped during the Plan period in response to pressures for improved facilities to serve an increasing number of secondary school students.

7.14 Policy CF10 also reflects the importance of education and covers the criteria for any new school developments, the need for which may arise later in the Plan period, pending more detailed research on demand for school places.

7.15 The Local Plan also gives guidance on the provision of language schools (**Policy CF12**).

Health care

7.16 The South West Peninsula Strategic Health Authority is responsible for health care in Torbay. The South Devon Healthcare NHS Trust provides services for the eastern part of the Health Authority Area. Torbay District General Hospital in Torquay provides the only accident and emergency facilities in South East Devon as well as the only paediatric and investigation units, and the only day beds. **Policy CF13** provides guidance on the development of further health care facilities on the campus and includes reference to the need to consider any possible impact on the amenities of surrounding residential areas.

7.17 The Council also supports the retention and improvement of medical facilities at Paignton and Brixham Hospitals, which are covered by **Policies CFS** and **CF1**. **Policy CF14** allocates a site for a new health centre at Great Parks, Paignton.

7.18 Several of the existing hospitals and properties in the ownership of the South Devon Healthcare NHS Trust are no longer deemed to be required for healthcare purposes. The Trust is committed to a 'care in the community' programme for integrating facilities for people with special needs into the local community, where this is appropriate to these peoples' needs. **Policy CF15** gives policy guidance on this and accommodation for other people in need of care, such as sheltered housing schemes. This seeks to achieve the objectives of care in the community, whilst protecting residential amenity from inappropriate siting and design or from an over-concentration in certain areas.

COMMUNITY EDUCATION AND HEALTH FACILITIES - POLICIES AND PROPOSALS

CFS Sustainable communities strategy

The development of new and regeneration of existing areas as sustainable communities will be permitted where proposals meet the needs of and enhance the quality of life of residents. Applications for new social, healthcare, educational, environmental and physical infrastructure will be acceptable in principle. Proposals resulting in the loss of existing facilities will not be permitted where they are to the detriment of the local community.

Explanation:

7.19 Government policy is to ensure that the planning system delivers high quality development with good community facilities (PPG1 'General Policy and Principles' (1997) paragraph 12). In addition, community regeneration entails ensuring that existing facilities are improved and upgraded to serve modern needs.

7.20 The availability of a range of community facilities, easily accessed in the locality, is important. These include community centres, health care (including hospitals, surgeries and clinics), educational facilities (including schools, crèches and libraries), as well as facilities for cultural, recreational and spiritual activities. However, this list is not exhaustive. In general, community facilities will fall within use class D1 (Non-residential institutions) of the Town and Country Planning (Use Classes) Order 1987 (as amended). However there will inevitably be some overlap between community facilities and more general recreational and leisure facilities, covered in Chapter 8. Residential institutions such as hospitals and residential care homes fall under Use Class C2.

7.21 Torbay is an established urban area, with a comprehensive range of community facilities. Their improvement will be supported subject to the criteria set out in **Policy CF1 Provision of new and improved community facilities**. Conversely, proposals that would result in the loss of key facilities will not be permitted, where this would be harmful to the community.

7.22 It is recognised that community regeneration goes beyond physical land use. In addition, it is essential that regeneration is a 'bottom up' process carried out in close partnership with the community. There are a number of initiatives and partnerships in operation seeking to address such matters. These

include Safer Communities Torbay (a Council, Police and Voluntary Sector partnership), the Local Agenda 21 Partnership and Network. The Community Plan also seeks to promote and improve the economic, social and environmental well-being of the area and contribute to the achievement of sustainable development. This requires the local authority and its partners to prepare integrated strategies linking land use and other aspects to promote community well-being.

CF1 Provision of new and improved community facilities

New and improved community facilities, such as schools, pre-school play groups, health centres, places of worship, community centres, community sports halls, libraries and the use of schools for community benefit, will be permitted where they:-

- (1) would be readily accessible to the local community including pedestrians and enjoy good access to public transport;**
- (2) would not impact adversely on adjacent properties and surrounding neighbourhood; and**
- (3) would not cause serious congestion or a road safety hazard.**

Explanation:

7.23 As noted in **Policy CFS Sustainable communities strategy**, the Local Plan seeks to ensure the provision and improvement of a wide range of community facilities. It is important that such facilities are located either close to residential areas or in areas well served by public transport, such as town centres. It will often be appropriate to have dual use facilities; for example school buildings can be a valuable community resource outside of school hours.

7.24 Some community facilities such as pre-school play groups will often be located at a more local level, for example in dwellings. It is important to consider the traffic implications of such proposals, which may entail peak drop-off and pick-up times. It will be necessary to consider the amenity implications of all community facility proposals, especially when located in residential areas. In particular, noise levels should not cause nuisance to neighbours. It may be appropriate to impose conditions to alleviate possible noise by providing sound insulation or by limiting hours of use (subject to the desirability of use for community benefit noted above).

CF2 Crime prevention

Every development should be designed to reduce crime both within and adjoining the proposal whilst ensuring that amenities are not unduly affected. Crime

prevention principles should be reflected in the following components of every development:-

- (1) the layout of public and private open space and orientation of buildings, including boundary walls and fences;
- (2) the location of parking and garaging;
- (3) access arrangements for pedestrians and vehicles, particularly footpaths and road networks;
- (4) the provision of play and other recreational and social facilities;
- (5) the lighting of development; and
- (6) the use of hard and soft landscaping.

Explanation:

7.25 An important part of planning is the creation of environments in which people feel safe and secure. The Crime and Disorder Act 1998 places a responsibility on the Police Authority, Local Authority, Probation Service and other community groups to draw up a strategy for crime prevention. The Safer Communities Torbay partnership has produced a Community Safety Strategy 2002-2005 which aims to identify and resolve local crime and disorder problems. This will be revised and updated in 2005.

7.26 Poor design is cited in many academic, Government and police reports as one of a number of factors which are associated with many areas which suffer from serious crime problems. Circular 5/94 'Planning out Crime' and the recently published document 'Safer places: the planning system and crime prevention' (ODPM, 2004) set out guidance for designing out crime hazards. Encouraging 'living over the shop' and other measures to revitalise town centres' evening economy can reduce night time crime caused by these areas being sparsely occupied outside normal shopping hours (see **Policy H3 Residential accommodation in town centres**).

7.27 In addition, the following are suggested as design features which are generally accepted as being helpful in encouraging crime prevention and which are encouraged by this policy:-

- (1) Provision of adequate social facilities, especially for young people.

- (2) Provision of adequate play facilities for children and playing fields for young people and adults.
- (3) Provision of residents' parking either within the curtilage of a dwelling or within sight of the occupier; unsupervised garage courts and parking areas out of sight of the residents owning the cars, in areas which are acknowledged as indefensible space, are generally accepted as focal points of crime.
- (4) Private rear gardens and living accommodation should not be overlooked from public or other private areas and layouts should not make it easy to gain access to private areas.
- (5) Footpaths in residential areas should be lit and open to view from surrounding dwellings. Whilst landscaping can be an important element of a development, it should not serve to create blind spots and potential hiding places.
- (6) Residential road layouts should seek to minimise escape routes for criminals. The provision of cul-de-sacs in residential road networks is supported by the Police.
- (7) It is accepted that there may be a trade-off between residential amenity and crime prevention, for example in terms of privacy. Designs that seek to optimise both objectives will be supported. Further considerations on layout and design are set out in **Policy H9 Layout, design and community aspects** and the **Environmental Guide (Section 6)**.

CF3 Hostels

Planning applications for hostels will be permitted provided that the following criteria can be met:-

- (1) the premises are located close to public transport routes or with easy access to town centres and other community facilities;
- (2) the use or development would not be to the detriment of the character or appearance of the neighbourhood or have an adverse effect on the amenity of adjoining properties;
- (3) proposals within a Conservation Area should comply with Policy BE6;
- (4) proposals within Principal Holiday Accommodation Areas (PHAAs) should, subject to Policy TU6, only be for the provision of residential accommodation for language schools or other appropriate organisations which would complement the range of accommodation available to the tourist industry;

- (5) where the proposal relates to hotels, guest houses or holiday apartments outside PHAAs the application should not conflict with Policy TU7;
- (6) where hostel accommodation is proposed specifically for students attending further/higher education facilities or for medical students and staff (in particular halls of residence), the proposal should form part of a sustainable development strategy compatible with Policies CF11 South Devon College and CF13 Torbay Hospital;
- (7) the proposal should not prejudice highway safety and convenience and satisfactory provision should be made for car parking; and
- (8) where appropriate, amenity space should be provided within the site and landscaped for the benefit of occupants.

Explanation:

7.28 Since 1994, hostels have been excluded from Class C1 (Hotels and hostels) of the Town and Country Planning (Use Classes) Order 1987 and are now sui generis (i.e. a use on their own). A proposal for the use of an hotel for the purposes of a hostel therefore now requires planning approval.

7.29 There is no statutory definition of a hostel. For the purposes of this policy, such a use is defined as accommodation which contains rooms used for residential purposes usually on a temporary and short term basis, which provides shared facilities such as bathrooms, toilets and kitchens, and which usually involves the provision of a basic level of service for its occupants (typically laundry and cleaning services, and certain meals such as breakfast).

7.30 It is probable that hostels will attract either a cross-section of people requiring short-term temporary accommodation for a variety of personal reasons, or will focus on the provision of rooms for specific sectors of society. For example, hostels provide accommodation for a range of homeless and other vulnerable people. Equally, they would also include nurses' accommodation, halls of residence for students, and hostels for foreign language school students, as well as for recognised youth organisations such as the YMCA and YWCA. Whilst most occupants will be transitory, stays may last for a variety of periods, for example a term in the academic year. Such accommodation may be the occupant's main place of residence but in all probability on a temporary basis only.

7.31 The range of possible hostel types gives rise to a potentially wide spectrum of planning issues. In

determining planning applications for hostels, the Council will therefore have particular regard to the detailed land use characteristics associated with the proposed use, and will require clear information relating to the method of operation, intended occupancy and tenure. Where hostels are likely to accommodate people with special needs or in particularly vulnerable circumstances, applicants must demonstrate that the special requirements of such people can be satisfactorily provided for.

7.32 Houses in Multiple Occupation (HMOs) are almost always unsuitable for people in need of long term care. Proposals for this type of use are dealt within **Policy CF15**.

7.33 Conditions will be imposed on any planning approval granted to ensure that subsequent use is strictly in accordance with the details specified. The likely levels of activity generated, particularly vehicular and pedestrian movement and the overall level of noise and disturbance associated with the use, will determine the appropriateness of any proposal.

7.34 Problems associated with certain types of hostel are often manifested in the deterioration of the appearance and maintenance of premises (particularly facades and forecourts). For this reason, the Council will always take account of the possible effects on the amenity of an area and will not permit proposals which unacceptably change the character of a neighbourhood. All applications for hostels relating to premises or sites within Conservation Areas must demonstrate that account has been taken of the need to secure a high standard of design in the context of **Policy BE1** and **BE5**.

7.35 Tourism remains the cornerstone of Torbay's economy and the Council has had a long-standing commitment to protect the character and function of its PHAAs. Hostel accommodation may be permitted in such areas only where it relates specifically to language schools or other appropriate organisations. Any approval would be based on the premise that such uses would contribute to the holiday atmosphere of the area and complement the range of accommodation available to the tourist industry. In all instances, applications would be subject to **Policy TU6** relating to the protection of PHAAs. Elsewhere, the use of holiday accommodation for hostels should not conflict with the criteria set out in **Policy TU7**, which is designed to protect holiday accommodation, in appropriate circumstances, outside PHAAs.

7.36 Policy of Torbay Hospital. **CF13** refers to the future development of higher education and hospital

campuses in Torbay. Hostels in the form of halls of residence or hostels such as those developed for nurses or medical staff form a normal part of the facilities offered by such institutions. Where such development is required, it is important that it forms part of the development strategies of the relevant bodies, and that accommodation is tied to use by staff and students. The provision of housing for key workers is recognised as an important element of affordable housing. It can, where appropriately subsidised to ensure affordability, contribute to meeting the need for affordable housing set out in **Policy H5**.

7.37 Adequate car parking provision must be made. The number of spaces required will be determined by the type of hostel proposed and its location. These two factors will also determine the Council's approach in relation to provision of amenity space and landscaping.

7.38 Proposals will also have to meet the requirements of the relevant regulatory body in respect of the standard and layout of accommodation and facilities, and the provision of any necessary services. This approach is necessary since such factors can have a direct influence on the land use planning considerations of a particular proposal. Appropriate standards are enforceable by the Council under the provisions of the Housing Act 1985 and the Environmental Protection Act 1990.

CF4 New cemeteries in Torbay

New cemeteries are proposed at the following locations:-

- (1) Collaton St. Mary, Paignton; and**
- (2) Mathill Road, Brixham.**

These cemeteries will be ecologically managed to maximise their nature conservation and wildlife value, and to minimise their landscape and environmental impact.

Explanation:

7.39 The future provision of cemeteries within Torbay has been addressed through the Council's Cemeteries Working Party. There is recognition that an urgent need now exists to provide additional burial space to complement existing provision. As a consequence, sites are proposed at Collaton St. Mary, Paignton and at Mathill Road, Brixham. Surveys indicate that ground conditions are appropriate in both locations. It is clear that suitable sites are not available elsewhere within the urban area.

7.40 Research carried out indicates that the site in Brixham should be given priority in the development of burial facilities. The Mathill Road site is currently designated as an Area of Outstanding Natural Beauty (**Policy L1**) and Countryside Zone (**Policy L4**). The Collaton St. Mary site is covered by Area of Great Landscape Value (**Policy L2**) and Countryside Zone.

7.41 The Council supports the principle of 'green burial' and it is considered essential that the cemeteries are so designed and managed to minimise their environmental impact. Planting of native species and the creation of meadows can enhance the cemeteries value as a wildlife habitat whilst retaining the dignity of their prime function.

7.42 In view of the landscape qualities of each site, careful consideration will need to be given to layout, access and car parking arrangements. It is envisaged that no buildings will be erected on these sites other than very small-scale structures required for basic maintenance purposes.

CF5 Refurbishment and community use of Torquay United Football Club

The refurbishment and upgrading of Torquay United Football Club stadium and premises at Plainmoor is proposed, together with its increased community use. Proposals should not have an adverse impact on the environment, amenity and highway network of the surrounding area.

Explanation:

7.43 At present Plainmoor is not generally available to the community. It is within easy walking distance of many homes and adjacent to one of Torquay's secondary schools and the Swim Torquay facility. Some improvements have taken place in recent years, e.g. the provision of an indoor bowling centre and social facilities, but considerable scope exists for community-based developments of a social, leisure or even educational nature. In addition, Plainmoor swimming pool is nearing the end of its life and is in urgent need of investment. The retention of swimming facilities in the area is an important consideration.

7.44 Any new development, however, would need to demonstrate to the satisfaction of the Council that the amenities currently enjoyed by neighbouring residents would not be adversely affected, for example by the generation of increased on-street car parking, or excessive noise at anti-social hours.

CF6 Community infrastructure contributions

Where additional social, physical or environmental infrastructure is needed in order for development to go ahead, appropriate contributions, fairly and reasonably related in terms of scale and kind to the proposed development, will be sought from the developers.

Explanation:

7.45 Government Circular 1/97 'Planning Obligations' indicates that planning obligations are an important and legitimate tool so long as they are necessary, relevant to planning, directly related to the development proposal, fairly and reasonably related to the scale and kind of the development proposed, and reasonable in other respects. The Government is currently renewing policy on developer obligations/contributions and amended guidance is expected during the Plan period.

7.46 Circular 1/97 indicates that Local Plans should give guidance about planning obligations in order to provide certainty to the development process.

7.47 Planning obligations are not a means of buying permission. Nor can they make an otherwise unacceptable development acceptable. However, properly used obligations can enhance the quality of development and enable proposals to go ahead which might otherwise be refused. They can help reconcile the aims and interests of developers with the need to safeguard the local environment, or to meet the costs imposed as a result of a development.

7.48 In particular, developer contributions can offset the costs of providing infrastructure, such as highway improvements, that developments impose but that would otherwise have to be met out of the public purse. Whilst it should be related to the development, such infrastructure may be off-site and cover matters not directly covered by the development.

7.49 As well as transport infrastructure, Circular 1/97 indicates that community infrastructure such as community facilities, playing fields and environmental enhancement are also legitimate subjects for contributions. Education has been identified as a particular need and is covered in **Policy CF7**. In addition, **Policy H11** seeks to provide public open space for new developments, which may involve Planning Obligations. In exceptional circumstances, commuted payments can be made in lieu of the on-site provision of affordable housing. Considerations governing this are set out in Paragraph 3.113 above and in the Council's Supplementary Planning Guidance on affordable housing.

7.50 The details of Planning Obligations will be the result of negotiations between the Council and developers. Where an agreed Code of Practice exists for a particular service the Council will use this as a basis for negotiations with developers. In any event the following considerations will be applied:-

- (1) monies must be used for the purposes specified within a period of 10 years from its receipt and if not so applied shall become repayable on demand;
- (2) actual payments requested shall be index linked to inflation and in the event of any delay in payment interest shall become payable;
- (3) where development results in an identifiable social good, for example redeveloping brownfield sites or cleaning contaminated land, or provision of social housing, the authority will take a flexible approach to planning contributions in order to seek to ensure that the social benefits of developments are realised;
- (4) where developers raise concerns about the viability of schemes due to the requirements of a proposed obligation they will be requested to submit full financial details and valuations to support such concerns;
- (5) negotiations about Planning Obligations should be carried out as openly as possible (Circular 1/97, paragraph B19). However respect will be had for the financial confidentiality of parties involved in negotiations; and
- (6) Legal Agreements about planning obligations should cover details of timing of payments. These will be at a stage required for sound planning and operational reasons. In particular, it will usually be undesirable for provision of infrastructure to lag behind the occupation of development.

7.51 PPG3 'Housing' (2000) (paragraph 20) indicates that details of Planning Obligations should be placed on the Statutory Register for public inspection, in order to ensure transparency and accountability in the planning process. As noted, financial confidentiality will be respected.

7.52 The Council will seek to ensure that planning obligations are of benefit to the local community and will therefore aim to maximise public involvement as stipulated by paragraph B19 of Circular 1/97.

7.53 Planning obligations are covered under Section 106 of the Town and Country Planning Act 1990 (as substituted by Section 12 of the Planning and Compensation Act 1991). Developer contributions are

an important obligation; however they are not the only subject of Section 106 Agreements. In appropriate cases the Council will require applicants to enter Agreements on matters such as occupancy or related issues that cannot be satisfactorily regulated by planning conditions.

7.54 The Water Industry Act 1991 imposes a requirement on developers to requisition the provision of water supply and sewerage. As a result, Section 106 Agreements will not usually be required for these works.

CF7 Educational contributions

Where proposed new development will require a significant increase in or improvement to existing educational provision, appropriate contributions will be sought through planning agreements in accordance with Policy CFS. In addition, the following principles will form part of any agreements:-

- (1) contributions will be sought on the basis of demand for educational facilities generated by the development; and
- (2) the level of financial contributions will be sought on the basis of the scale and nature of educational need.

Explanation:

7.55 New dwellings are likely to generate the need for additional school places. In addition to educating children, schools also provide a valuable community resource for sports and meetings, etc. **Policy CF1** seeks to encourage dual use of schools.

7.56 The needs of schools and other educational establishments are noted in **Policies CF8 - 11**. There are no schools in central Torquay, and several other areas in Torquay and Paignton do not have spare capacity to accommodate increased numbers of pupils.

7.57 The principles governing developer contributions are noted in **Policy CF6** and in Circular 1/97. Educational and community facilities are noted as appropriate areas for developer contributions. The level of contributions expected from developers will be based on a standard assessment procedure prepared in liaison with the Director of Learning and Culture.

7.58 The shortage of land in Torbay and need to limit development of greenfield sites means that a large proportion of Torbay's housing will be provided on smaller 'windfall' sites. Contributions will be sought on

the basis of likely educational demand generated by development. There is a need to operate this policy in such a way that it does not adversely affect the affordability of housing provided in accordance with **Policies H5 - H6**, nor impose an unacceptable burden on brownfield sites. In addition, education contributions will not be required for developments that are unlikely to generate significant need for education facilities, such as sheltered housing.

7.59 For the above reasons, it is not always possible to locate educational facilities close to new houses. Educational catchment areas are not fixed and there is scope to cascade them and release capacity in constrained urban areas, when new educational facilities on edge of centre sites are opened. In any event, it will be important to ensure that contributions are assigned to specific educational projects.

CF8 Primary school provision

The following new primary school provision, extension and improvement is proposed:-

- (1) the extension and improvement of Watcombe Primary School, Torquay;
- (2) the extension and improvement of Barton Primary School, Torquay;
- (3) new primary school at site of former Westlands Lower School, Torquay;
- (4) the extension of Torre C of E Primary School, Torquay, to form nursery accommodation;
- (5) the extension and improvement of Sherwell Valley Primary School, Torquay;
- (6) a new primary school at Great Parks, Paignton;
- (7) the extension and improvement of Foxhole Junior School, Paignton; and
- (8) the extension and improvement of Foxhole Infants School, Paignton.

Explanation:

7.60 The Director of Learning and Culture has indicated that there will be a need for a new primary school at Great Parks, when new developments have reached a sufficient level in relation to agreed phasing arrangements. The developers will need to ensure that sufficient lead time is given to enable the proper phasing of the school in line with projected completions.

7.61 A Section 106 Agreement makes provision for the cost of acquisition of land for this new school by the education authority to be defrayed by the payment

of a levy per completed dwelling. The proposed primary school at Great Parks could include joint community facilities.

7.62 In addition, extension and improvements to a number of existing schools are proposed. Proposals for Barton Primary School (car parking, access, playing fields, etc) will not increase pupil numbers.

7.63 An extension of Torre Primary School is proposed for the provision of nursery facilities. However, the development of such facilities in all of these schools will be supported in principle. Furthermore, it is anticipated that schools will become the focal points of the communities which they will serve. Joint provision, including cultural / social facilities and leisure provision, will therefore be encouraged, either in the form of an integrated design or as free-standing development on part of the land safeguarded in the Local Plan (see **Policy CF1** and Explanation).

7.64 The Director of Learning and Culture has indicated that there is currently not a need for a new Primary School at Scotts Bridge/Barton during the Plan period. However, this position will be carefully monitored and addressed when this Local Plan is reviewed. Any need would be assessed against the criteria set out in **Policy CF10**.

CF9 Secondary school provision

The following new secondary school provision, extension and improvement is proposed:-

- (1) the extension and improvement of Cuthbert Mayne School;
- (2) the extension and improvement of Torquay Community College, including a sports hall;
- (3) the redevelopment and improvement of Westlands School, Torquay, including a community sports hall;
- (4) the extension and improvement of Paignton Community College, Paignton; and
- (5) the extension and improvement of Brixham Community College.

Explanation:

7.65 Several factors point to the need for an expansion of secondary school places in Torbay, in particular the rising number of children in the primary schools in Torbay. The Council's policy is to address the need for additional places through the expansion of facilities within existing school campuses.

7.66 Westlands School, Torquay is undergoing a major upgrade of facilities through redevelopment of its campus. Westlands is situated in a well populated neighbourhood within the heart of the urban area of Torquay. The area is also deficient in playing areas and open space generally and lacks adequate community provision. The school and its facilities are within easy walking distance of a large population. **Proposal R3.4** aims to assist the extension and improvement of Brixham Community College by making provision for additional playing fields at Centry Road, Brixham.

7.67 All the schools noted above have some scope for expansion. The Director of Learning and Culture will be keeping the need for new secondary school provision under review.

CF10 New schools and improved school facilities

The provision of new schools or the improvement of educational facilities at existing schools will be permitted provided that the following considerations apply:-

- (1) sites for new schools are well related to existing or proposed residential areas, accessible to public transport and have safe pedestrian and vehicular access;
- (2) school sites are of a sufficient size to accommodate the satisfactory design and layout of new or improved school facilities;
- (3) proposals have regard to the need to safeguard existing playing fields within the school site; and
- (4) proposals can be accommodated without undue detriment to surrounding residential areas.

Explanation:

7.68 Education is a high priority for central Government and is vital to the social and economic well-being of Torbay. Details of proposals for new primary and secondary school provision are set out in **CF8** and **CF9**.

7.69 Estimates of any additional demand for school places in Torbay during the Plan period are necessarily tentative as they are dependent on future birth rates. Latest population projections suggest that Torbay will require further school places by 2011. The need for new school provision throughout Torbay during the Plan period will be kept under review by the Director of Learning and Culture.

7.70 At present, there are a number of schools operating at over capacity that need to extend or

where demand needs to be met by building a new school in the vicinity. **Policies CF8 and CF9** set out specific proposals for new schools and extensions. **Policy CF10** above provides criteria for considering other proposals for improvements to existing or the provision of new schools during the Plan period.

7.71 The location of schools should be carefully considered to reduce the need to travel by non-sustainable means such as by car, and therefore proximity to residential areas is likely to be desirable. However, safe pedestrian and vehicular routes are also a priority. The impact on the amenity of nearby residential properties is an important consideration.

7.72 Extensions onto school land must have regard to the need to retain sufficient outdoor space to provide playing field and recreation needs.

7.73 Security in educational buildings is an important consideration for pupils and staff. Due regard should be had to **Policy CF2 Crime Prevention** during the early design stages of any new building works.

CF11 South Devon College

The improvement and development of facilities for South Devon College will be permitted within the education campus defined on the Proposals Map, subject to the following:-

- (1) the protection of the amenities of the surrounding residential areas; and**
- (2) the implementation of a company transport plan serving the accessibility needs of the College.**

Explanation:

7.74 Current Government planning policy guidance (including PPG12 'Development Plans' (1999), paragraph 4.14) states that plans should make provision for further education. This is supported by recent Government policy forecasts, which predict a significant increase in students in both further and higher education over the Plan period.

7.75 South Devon College has a programme to increase and improve its facilities over the Plan period in order to retain its attractiveness to students. The College also contributes to the social life of Torbay and is an important factor in the local economy in terms of being a major employer, a source of additional revenue coming into Torbay and maintaining an important research and development link with local companies. The campus site has relatively limited

parking and excessive on-road parking may harm highway safety and amenity. Alternatives to car use such as cycling and public transport will therefore be encouraged.

7.76 It should be noted that in 2003, Planning Permission was granted for the relocation of South Devon College to Long Road, Paignton. The objective underpinning this decision is to secure the long term future of the College and strengthen links with local businesses. If implemented this will create a significant redevelopment opportunity on the current site in Torre, Torquay.

CF12 Language schools

The provision of language schools will be permitted within town and district centres (subject to Policies S3, S4 and S9). The introduction of such schools elsewhere may be appropriate where good access exists to public transport, subject to the protection of neighbourhood amenities and, where holiday locations and accommodation are affected, to Policies TU6 and TU7.

Explanation:

7.77 Torbay already has a sizeable number of language schools, many of which occupy either converted commercial property on the fringes of town centres (especially Torquay) or larger properties in residential areas. They not only fulfil an educational role but they put Torbay on the international map, increasing the potential for cultural exchanges, increased numbers of foreign tourists and possibly future business opportunities within the European Community. There are also local economic benefits, both in terms of employment and potential links with local companies in need of translation services and international business information.

7.78 The presence of foreign students is considered to make an important contribution to Torbay's Riviera tourism image and there may be situations where the conversion of holiday accommodation use to a language school may be acceptable.

7.79 In residential areas, the Council will need to be satisfied that an on-street parking problem will not be caused and that residential amenities will not be adversely affected.

CF13 Torbay Hospital

Proposals for the expansion, redevelopment and improvement of facilities at Torbay Hospital will be permitted provided that:-

- (1) **the campus is used only for development related to the hospital's primary function of providing health care;**
- (2) **landscaping is provided both within and around the perimeter of the site which maintains and enhances the amenity and wildlife features of the hospital grounds and which reduces the impact on surrounding residential areas of any development which may take place;**
- (3) **an integrated transport and parking policy which seeks to address the transportation needs of the campus and the surrounding area is implemented; and**
- (4) **new development does not have a detrimental effect on the amenities of the surrounding residential areas.**

Explanation:

7.80 Torbay Hospital is a District General Hospital serving the entire South Devon Healthcare area. In order to serve this sub-region and the additional demands placed on it by tourists, the South Devon Healthcare NHS Trust is looking to ensure that the services provided by the hospital remain up to date and of a high quality. There could be a significant expansion of facilities over the Plan period including improved access and car parking arrangements. It is therefore important that the land currently comprising the hospital campus is reserved for health-related developments only.

7.81 At present the hospital buildings are separated from the adjacent residential areas to the north, west and south by attractive open spaces. These act as a buffer and help to preserve the amenities enjoyed by nearby residents and provide a pleasant environment for the patients, staff and visitors. It is important to maintain the effectiveness of this role and the Council will be looking for appropriate planting and other environmental works to ensure that any new hospital developments do not have a detrimental effect on adjoining residential areas.

7.82 It is becoming increasingly difficult to accommodate the demand for car parking at Torbay Hospital. Additional development must therefore be linked to schemes which provide realistic alternatives to the provision of parking. The Council will seek to encourage alternative transport facilities to serve Torbay Hospital. A park and ride scheme, linked to the proposed site at Lawes Bridge (see **Policy T11**) would provide an alternative for many hospital employees currently using the car parks on the campus, which would free them for use by the public. Improved

access through more effective public transport provision and cycle facilities would also help to reduce the pressure on parking space.

7.83 Although not a District General Hospital, Paignton Hospital provides a range of health services within easy reach of residents of Paignton. It is considered important to retain these services for the benefit of the local population. Similarly, the retention of Brixham Hospital is considered important.

CF14 Health centre, Great Parks

A new health centre is proposed within the proposed Local Shopping Centre at Great Parks, Paignton.

Explanation:

7.84 A need has already been identified for new health care facilities in the Great Parks area of Paignton. This will increase when the new Great Parks development proposals come on stream during the Plan period. It is the intention of the Council that the new development should be planned as a community and not just as a housing estate.

7.85 New health facilities are an integral part of community provision and location within the proposed shopping centre (see **Policy S11.2**) will create a focus for such activities.

7.86 The implementation of this objective will be enhanced by planning obligations accruing from development at Great Parks.

CF15 Accommodation for people in need of care

Planning applications for the provision of accommodation designed specifically to meet the needs of the elderly (i.e. elderly persons' homes, nursing homes and sheltered accommodation) and other people in need of care will be permitted provided that the following criteria are met:-

- (1) **premises are well related to the local residential community, accessible to public transport and within walking distance of local shops and other everyday facilities;**
- (2) **proposals will only be permitted outside the built-up area in more isolated locations, where premises are accessible from the main road network and the development or use does not conflict with landscape protection or nature conservation policies in the Local Plan;**

- (3) **there is adequate amenity space within schemes, having due regard to the character of the surrounding area, together with appropriate landscaping to ensure attractive surroundings for residents;**
- (4) **there is appropriate provision for service vehicles and car parking in accordance with Local Authority standards;**
- (5) **the development or change of use would not lead to an over-concentration of uses within the area and would not be to the detriment of the character or amenities of the neighbourhood;**
- (6) **appropriate accommodation is provided for staff whether on site or with direct communication with residents, to ensure that there is proper care for occupants; and**
- (7) **the character and function of Principal Holiday Accommodation Areas should not be adversely affected.**

Explanation:

7.87 There is a wide range of people in need of care. This includes the elderly, people with disabilities or special needs. The South Devon Healthcare NHS Trust and Torbay Council's Social Services Directorate have embraced 'care in the community', where the needs of the mentally ill and those with disabilities can be appropriately and satisfactorily met in the community (see also **Policy H5 Affordable housing on identified sites**).

7.88 Residential accommodation for people in need of care will usually fall within Use Class C2 of the Town and Country Planning (Use Classes) Order 1987. Sheltered housing and similar schemes may fall under Use Class C3 (Dwelling houses) depending on the level of care and scale of operation (see paragraph 7.97). There are a variety of types of accommodation which are considered below.

Sheltered Housing

7.89 Sheltered housing is designed to meet the needs of semi-independent people such as the active elderly. Such people are usually able to live independently but who may require the security of warden care, either within the complex or in communication with it.

7.90 Such residents will often be less mobile than the majority of the population. Sheltered accommodation should therefore be accessible and conveniently sited in relation to an appropriate range of local shopping, health and community facilities.

7.91 Adequate car parking should be provided to meet the needs of residents as well as provision for visitors.

Registered Homes

7.92 Registered homes provide a higher level of care than sheltered housing. There are a large number of such premises in Torbay, provided predominantly by the private sector for elderly people. Such homes would typically include residential care homes and nursing homes.

7.93 In urban areas, premises will usually be located primarily in residential areas and should be part of the community. They will therefore usually be reasonably accessible to local shops and community facilities, as well as public transport. Some proprietors may wish to operate homes in the countryside, which are at some distance from such facilities, capitalising on attractive surroundings and large grounds. Such proposals will be regarded as exceptions to this policy and in any event will be expected to be in accordance with relevant countryside policies.

7.94 Many residents will be largely 'house-bound' and as a consequence the Council will wish to ensure that homes are set in reasonably spacious grounds which are capable of providing adequate amenity space for their use. The relatively high levels of immobility amongst residents suggests that such amenity space and a reasonably attractive and environmentally acceptable outlook will be particularly important considerations when determining applications.

7.95 An over-concentration of residential homes can have an undesirable effect upon the character of an area. Therefore numbers of residential homes in a locality will be a material consideration in determining applications. Where unimplemented planning permissions could lead to potential future over-concentrations, it may be appropriate to limit approvals to two years in order to ensure that serious prospective operators are not discriminated against.

7.96 Registration criteria and detailed operational requirements for homes are the responsibility of the Social Services Directorate and the Health Authority (as appropriate) under separate legislation.

Other types of homes

7.97 There is a wide range of types of home for people requiring care. Some small scale 'care homes'

are operated as dwelling houses within Class C3 of the Use Classes Order, so long as no more than six persons live at the property and they occupy it as part of a single household sharing cooking, bathroom etc. facilities. Where a building is not occupied as a single dwelling or accommodates more than six people, it will require planning permission for use as a residential home. The specific requirements of these groups will determine appropriate locations. It will usually be appropriate for such homes to be located in the built up area, within easy reach of local shops and other facilities. However, in certain cases it will be appropriate to site homes in more isolated locations, for example if they are likely to generate noise. Proposals for hostels are dealt with in **Policy CF3**.

7.98 Given the wide range of types of accommodation, it is important that proposals are considered on their individual merits. The impact of a proposed development on amenity and the environment will be a relevant planning consideration. As well as the suitability of an area for such uses, the cumulative impact of proposals should be taken into account to prevent an over-concentration of such facilities, which could hamper integration into the community and affect the character of the neighbourhood.

7.99 There will be instances where it will be appropriate to restrict the use to a specific client group, where other uses within Class C2 of the Town and Country Planning (Use Classes) Order 1987 would not be suitable. In appropriate circumstances, the Council will enter into Section 106 Agreements in relation to car parking, age of occupants and other matters considered relevant to securing a satisfactory development.

