

## PREFACE

### Adoption

The Torbay Local Plan (1995-2011) was adopted by Torbay Council on 5 April 2004. The following is an extract of the Minutes of that meeting:

505. Adoption of Torbay Local Plan 1995/2011. Further to the Extraordinary Meeting of Council held on 4th March 2004 (Minute 454/3/04 refers), the Council considered Report Env/18/04 advising that a Notice of Intention to adopt the Local Plan without further modifications had been published in accordance with the Development Plan Regulations. The statutory notice period had expired and Members were now recommended to formally adopt the Plan.

It was proposed by Councillor Charlwood and seconded by Councillor Davis:-

- (i) THAT the procedure that has been followed pursuant to the Council's notification of its intention to adopt the Local Plan without further modifications be noted;
- (ii) that the Torbay Local Plan (1995-2011) as the statutory Local Plan for Torbay be formally adopted;
- (iii) that a "Notice of Adoption" be published and notice be served on interested parties, in accordance with the Development Plan Regulations; and
- (iv) that the submitted written representation together with the associated petition be noted.

On being put to the vote, the motion was declared CARRIED.

### Format

The adopted Torbay Local Plan became operative from 5 April 2004. It comprises the Revised Deposit Version (October 2000), as amended by the Proposed Modifications (October 2003) agreed by the Council, together with minor editorial changes set out in the document Statement of reasons and decisions relating to objections to Proposed Modifications (October 2003). Considerable additional editorial amendment of introductory and explanatory text has taken place in order to remove discrepancies and bring the content of supporting text up-to-date. These changes do not have a material effect on the substance of the policies and proposals of the Plan.

The published Adopted Local Plan is available in three formats:

- a paper copy in the form of a folder containing the Written Statement (Policies and Proposals and supporting text), Proposals Map Booklet (including a Key) plus three town centre maps
- CD-ROM (disk enclosed with paper copy)
- Electronic web-based version (fully interactive) accessible via:-

[www.torbay.gov.uk/strategicplanning](http://www.torbay.gov.uk/strategicplanning) or  
[www.torbay.gov.uk/localplan](http://www.torbay.gov.uk/localplan) or  
[www.planningportal.gov.uk](http://www.planningportal.gov.uk)

### Changing planning policy context

The Local Plan has been produced during a period of time when the national planning policy framework has been the subject of considerable change. As a consequence, certain documents, Planning Policy Guidance Notes (PPGs) and other statutory publications referred to in this Plan may have been superseded. PPGs, for example, are now being replaced by Planning Policy Statements (PPSs). Since 1998, when work started on the Deposit Version of the Plan, the Regional Planning Guidance for the South West (RPG10) was approved in September 2001. The Devon Structure Plan First Review (1995-2011) was adopted in February 1999 and the Devon Structure Plan 2001 to 2016 is expected to be adopted in Summer/Autumn 2004. It is also accepted that certain proposals in the Plan have already been implemented, simply as a result of the passage of time. Such proposals have been retained where important to the overall integrity of the Local Plan. More fundamentally, the Planning and Compulsory Purchase Act 2004 will be introducing a new development planning system.

### High Court Challenge

It should be noted that an application has been made to the High Court under Section 287 of the Town and Country Planning Act 1990 to challenge the validity of the Adopted Local Plan in respect of **Policy L6.6: Urban Landscape Protection Area - Scotts Bridge/Barton, Torquay**. The challenge relates solely to that part of the Urban Landscape Protection Area known as 'Scotts Meadow', adjoining Riviera Way (see also paragraph 11.43). A High Court Hearing will be held in Autumn 2004. The remainder of the Local Plan is unaffected by this challenge.