

Torquay Harbour Area Action Plan
Development Plan Document

Sustainability Appraisal

Regulation 25 Consultation Draft

**Health • Social inclusiveness • Accessibility
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Culture • Resources • Safety • Community
Environment • Health • Social inclusiveness
Accessibility • Heritage • Biodiversity**

Sustainability Appraisal of Regulation 25 Draft Torquay Harbour Area Action Plan

Torquay Harbour Area Action Plan

Development Plan Document

Sustainability Appraisal of Regulation 25 Draft Document

(Incorporating SEA Requirements)

Preface

Purpose of this document:

This document is the Sustainability Appraisal (SA) report for the Torquay Harbour Area Action Plan DPD (Regulation 25 Consultation Document). The SA report aims to identify the potential social, economic and environmental impacts of the DPD.

This report has been compiled for consultation purposes and your comments are welcome (please see details below to comment). It is accompanied by a Non-Technical Summary.

We want your views!

The Strategic Planning Group welcomes feedback on this report particularly in regard to your views on the following:

- Have all potential social, economic and environmental impacts of implementing this plan been identified?
- Are the recommendations suggested sufficient to prevent, reduce and, as far as possible offset any significant adverse effects of implementing the plan?
- Do you have any further comments or suggestions relating to the monitoring of the plan to assist in tracking the likely social, economic and environmental implications of the plan?

If you wish to comment on this report please use the contact details below.

The consultation period extends in parallel to that of the Regulation 25 Draft THAAP which runs from Monday 14 September to Friday 23 October 2009.

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Reference copies of this SA report and related documents and leaflets are available at the Council's Libraries, Connections Offices and at Roebuck House, Torquay.

This report and accompanying Non-Technical Summary can also be accessed via the Internet: <http://www.torbay.gov.uk/ldf> or <http://www.torbay.gov.uk/sustainabilityappraisal>

Key Terms and Abbreviations

Development Plan Document (DPD)

Local Development Framework (LDF)

Statement of Community Involvement (SCI)

Sustainability Appraisal (SA)

Strategic Environmental Assessment (SEA)

Torquay Harbour Area Action Plan (THAAP)

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1.1 Introduction

Torbay Council is currently in the process of developing a Local Development Framework (LDF) which will replace the Adopted Torbay Local Plan 1995-2011. The LDF consists of a 'portfolio' of Local Development Documents (LDDs) as outlined in Table 1. Collectively, they will provide and deliver the spatial planning strategy for Torbay for the period 2006 to 2026. For further information on the new planning system and the development of the LDF for Torbay please visit <http://www.torbay.gov.uk/ldf>.

Under the Planning and Compulsory Purchase Act 2004 those LDDs with a land use implication (named Development Plan Documents (DPDs))⁽¹⁾ require a Sustainability Appraisal to run parallel to its development. This process will ensure that the environmental, social and economic effects of each document are considered during its formulation. This is fundamental in Torbay ensuring that land use planning decisions assist in addressing social and economic issues whilst protecting and enhancing the local environment which is so important in Torbay for residents and visitors alike.

Documents in Torbay Local Development Scheme	Document type	SA required?
Annual Monitoring Report	AMR	No
LDD1: Statement of Community Involvement	SCI	No
LDD2: Core Strategy	DPD	Yes
LDD3: Torquay Harbour Area Action Plan	DPD	Yes
LDD4: Site Specific Proposals and Policies	DPD	Yes
LDD5: Generic Development Control Policies	DPD	Yes
LDD6: Planning Contributions and Affordable Housing	SPD	Yes ⁽²⁾
LDD7: Urban Design Guide	SPD	Yes
LDD8: Greenspace Strategy	SPD	Yes
LDD9: Great Parks, Paignton: Planning Brief	SPD	? ⁽³⁾

Table 1 List of documents which will form the Local Development Framework

- 1 Development Plan Documents (DPDs) – These form the development plan for the authority and include Core Strategy, Site Specific Allocations of land and Areas Action Plans
- 2 LDDs 6, 7 and 8 have been prepared, therefore SA of these LDDs has already occurred
- 3 Amendments to the Planning Act 2008 have removed the automatic requirement for SA for SPDs, however LPAs will still need to screen forthcoming SPDs to determine if SA/SEA is required in order to ensure legal requirements are met

2 Background

2.1 This document

Throughout its development the Torquay Harbour Area Action Plan DPD has been assessed at various points (through the Sustainability Appraisal process) to determine its impacts (both positive and negative) on the local social, economic and environmental situation. This report has been compiled to summarise the sustainability appraisal work that has been carried out so far and show how sustainability has been accounted for as the plan has evolved to its current Regulation 25 stage in the planning process.

This section (**section 2**) gives an outline of the Torquay Harbour Area Action Plan DPD and why the appraisal is needed. A methodology section (**section 3**) follows which outlines key stages of the Sustainability Appraisal process, the work carried out so far and who has been consulted. The report then moves on to outline the scoping work undertaken (**section 4**) which provides local context for impact prediction at the later stages (**section 4**). This includes identification of existing sustainability issues in Torquay Harbour and the establishment of an appraisal framework used to test the plan for sustainability.

Section 5 uses the appraisal framework identified above to compare four strategic options that were considered to be available to Council in the preparation of the DPD. This was previously reported on in the Regulation 25 Pre-Draft Issues and Options Sustainability Appraisal report.

Section 6 summarises the Sustainability Appraisal carried out on the relevant saved policy from the Local Plan. This policy has not been subject to Sustainability Appraisal previously, and it was thought prudent to do this to ensure the sustainability of the key driving policy upon which the Torquay Harbour AAP is based.

Section 7 provides a summary of the SA of the emerging DPD policies, including suggested mitigation measures to address any identified adverse effects resulting from the DPD.

The report outlines a monitoring programme (**section 8**) to monitor the impacts of the plan, and the report concludes with a summary and key findings (**section 9**) and an indication of the next steps in the SA process (**section 10**).

2.2 Torquay Harbour Area Action Plan Development Plan Document

In order to appraise the Torquay Harbour Area Action Plan DPD it is important to understand its purpose and content. The following section therefore gives a brief outline of the Torquay Harbour Area Action Plan DPD in order to provide context for this report. To access a full version of the Torquay Harbour Area Action Plan DPD please visit www.torbay.gov.uk/ldf or contact a member of the Strategic Planning Group.

The Torquay Harbour Area Action Plan (THAAP) will form one of the key documents in the Torbay Local Development Framework (LDF). The LDF is replacing the old development plan system of Structure Plans and Local Plans and will constitute a portfolio of documents that, once completed, will set out the

key planning strategies, policies and proposals for the whole Torbay area. The purpose of this major reform is to create a more responsive and positive planning system.

During the LDF process planning authorities can choose to prepare an Area Action Plan (AAP) for any areas of significant change or conservation. AAPs have an important role both in the stimulation of new regeneration and in the co-ordination of existing regeneration programmes in a focussed manner. At this stage, the only AAP scheduled to be produced for the Torbay LDF is the THAAP, and when adopted, it is anticipated to become the first DPD to make site-specific allocations in Torbay. It is essential that the THAAP is consistent with the aims and policies set out in the emerging Core Strategy Development Plan Document (DPD), saved policies in the Adopted Torbay Local Plan and must be in conformity with the Regional Spatial Strategy (RSS).

The THAAP seeks to provide a planning framework to facilitate the regeneration of the area, which comprises TorquayHarbour and its surroundings. This encompasses the prime waterfront from the PalmCourtHotel, at the south of the boundary, through to the Harbour and the Imperial Hotel, the northernmost point in the Plan area. Inland the THAAP boundary extends to the hillside as far as The Terrace and Torwood Street in the valley floor.

This area has already been the subject of numerous strategies prepared by various Council departments and the Torbay Development Agency (TDA). However, as yet, no unified approach to their delivery has existed to draw these strategies together, so regeneration within the TorquayHarbour area has occurred on an incremental basis. The purpose of the THAAP is to provide a co-ordinated approach to regeneration, complementing the regeneration initiatives promoted by the TDA. It will also provide a framework for the detailed conservation area enhancement and public realm work being implemented by the Council's Planning and Development Services Division.

2.3 Why carry out a Sustainability Appraisal?

It has become common practice to consider the environmental implications of significant or large scale developments coming forward from individual planning applications. However there is increasing recognition that the cumulative effect of a large number of small scale developments can have a detrimental effect on the environment. It is for this reason that the Strategic Environmental Assessment (SEA) Directive (2001/42/EC) was integrated into UK legislation in July 2004. This Directive ensures that strategic level plans are developed in such a way as to maximise opportunities for environmental improvements and minimise potential negative impacts.

For Development Plan Documents it is mandatory under the Planning and Compulsory Purchase Act 2004 to undertake a Sustainability Appraisal. This is based on the SEA process - extended to encompass not only environmental but also potential social and economic impacts.

3 Appraisal Methodology

All stages of the Sustainability Appraisal of the Torquay Harbour Area Action Plan DPD have been undertaken in accordance with DCLG Guidance on Sustainability Appraisal ⁽⁴⁾. This guidance incorporates the requirements of the SEA Directive (see section 2.3). Appendix A demonstrates where these requirements have been met within this report. Throughout this document where reference is made to Sustainability Appraisal (SA) or the SA report it incorporates the SEA Directive.

3.1 Key Stages of Sustainability Appraisal Process

There are 5 key stages within the Sustainability Appraisal process. These stages are outlined in table 2 below and signposts given, where relevant, to where these tasks are covered in this report. Where N/A is noted these tasks relate to work which is carried out in later stages of the appraisal process.

This Sustainability Appraisal is the product of the tasks undertaken as part of Stages A and B. The compilation of this information represents Stage C and the consultation which follows is Stage D. The purpose and detailed methodology for each of these tasks is included within the relevant sections in this report.

STAGE	TASK	Relevant section in this SA report
Stage A	Setting the context and objectives, establishing the baseline and deciding on the scope	
A1	Identifying other relevant plans, programmes and sustainability objectives	Section 4.1
A2	Collecting baseline information	Section 4.2
A3	Identifying sustainability issues and problems	Section 4.2
A4	Developing the SA Framework	Section 4.3
A5	Consulting on the scope of the SA	Section 3.4
Stage B	Developing and Refining Options and assessing effects	
B1	Testing the plan objectives against the SA Framework	Section 7
B2	Developing the DPD options	Section 5
B3	Predicting the effects of the DPD	Section 7
B4	Evaluating the effects of the DPD	Section 7
B5	Considering ways of mitigating adverse effects and maximising beneficial effects	Section 7

4 DOLF (previously ODPM) (November 2005) 'Sustainability Appraisal of Regional Spatial Strategies and Local Development Documents'

3 Appraisal Methodology

STAGE	TASK	Relevant section in this SA report
B6	Proposing measures to monitor the significant effects of implementation the DPDs	Section 8
Stage C	Preparing the Sustainability Appraisal Report	This SA Report
C	Preparing the SA Report	This SA Report
Stage D	Consulting on the preferred options of the DPD and SA report (Regulation 25 consultation)	Consultation on this document
D1	Public participation on the preferred option of the DPD and the SA report	Consultation on this document
D2 (i)	Appraising significant changes	N/A
D2 (ii)	Appraising significant changes resulting from representations	N/A
D3	Making decisions and providing information	N/A
Stage E	Monitoring the significant effects of Implementing the DPD	
E1	Finalising aims and methods for monitoring	N/A
E2	Responding to adverse effects	N/A

Table 2 Stages involved in completing the Sustainability Appraisal process

3.2 SA work carried out to date:

The following section provides a summary of the Sustainability Appraisal work carried out on the Torquay Harbour Area Action Plan DPD to date.

Stage A: Scoping work was carried out for the overarching LDF documents and the Torquay Harbour Area Action Plan DPD in 2005. The consultation responses from the Scoping Report and how they have been considered is discussed further in Section 3.4.

Stage B: Stage B work has been focused around developing a sustainable direction for the Torquay Harbour Area Action Plan DPD. The options for the development of the DPD were compared and are included in the Regulation 25 Pre-Draft Issues and Options Sustainability Appraisal report:

1. manage the current situation in the harbour area (Business as usual);

3 Appraisal Methodology

2. pursue a primarily leisure and tourism orientated role for the harbour area;
3. pursue a primarily retail role for the harbour area; and
4. seek a mix of Options 2 and 3.

A detailed assessment of the Preferred Option, a mix of Options 2 and 3 was undertaken. The results of this stage are reported in Section 5 of this report. Further work undertaken for Stage B has been the appraisal of effects of the emerging plan.

Stage C: This report represents Stage C of the SA process for the Draft Torquay Harbour Area Action Plan DPD. It summarises all of the work carried out as part of Stages A and B as outlined above. It will be available for consultation as part of Stage D for a period of 6 weeks in accordance with the Town and Country Planning (Local Development) (England) Regulations 2004.

Forthcoming work (Stage D and Stage E): The remainder of tasks under Stage D and all of Stage E will form the next part of the appraisal work and will be documented in subsequent reports. Table 3 below outlines a provisional timescale for the development of the Torquay Harbour Area Action Plan DPD and the remaining SA work.

DPD development stage (as identified in the LDS)	Timescale	Equivalent Sustainability Appraisal Stage	SA Output
Scoping pre-production / evidence gathering	January – April 2005	Stage A: Setting context/ objectives, establishing baseline and deciding on scope	Production of an SA Scoping Report
Stage A: Consultation on SA Scoping Report for Statutory Consultees and key stakeholders February – March 2006 (5 weeks)			
Preparation of issues and alternative options for the DPD (Regulation 25)	April – June 2006	Stage B: Developing and refining options and assessing effects	
Drafting the DPD (Regulation 25)	2007-July 2009	Stage C: Preparing the Sustainability Appraisal report	Production of a draft SA report to be published alongside the new Regulation 25 draft DPD
Consultation and participation on	August-October 2009	Stage D: Consultation on the DPD and SA report	

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DPD development stage (as identified in the LDS)	Timescale	Equivalent Sustainability Appraisal Stage	SA Output
draft DPD (Regulation 25)			
Consideration of representations on contents	Winter 2009-2010		Appraise any significant changes as a result of consultation
Publication of submission document (regulation 27)	April-May 2010 (estimated)		Production of a pre-submission SA Report to be published alongside Regulation 27 DPD
Submission of final DPD to Secretary of State (Regulation 30)	Aug-Sept 2010 (estimated)		Appraise any significant changes made after Examination and update SA report if required
Adoption by Council	Oct-Nov 2011 (estimated)		Statement summarising how the SA and associated consultation has influenced the plan making process
		Stage E: Monitoring and implementation of the plan	Inclusion of SA Indicators and yearly data - AMR.

Table 3 Timetable for integration of Sustainability Appraisal work into the development of the Torquay Harbour Area Action Plan DPD

3.3 Who Carried Out the Sustainability Appraisal?

The initial SA work, SA scoping and Issues and Options was undertaken in-house by officers with environmental backgrounds and qualifications. Its compilation has been assisted by support from the Strategic Planning Group which has a good understanding of key local issues. Input was also received from the Regional Spatial Strategy's Strategic Sustainability Assessment and C4S consultants in compilation of the plans, policies and programmes review.

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The consultancy, Enfusion were appointed by Council in June 2007, and have carried out the detailed Preferred Options Sustainability Appraisal and this SA Report, building on the work already undertaken (the Preferred Options document was not published for consultation due to changes in the plan-making regulations in 2008 however the suggested mitigation and enhancement measures recommended by Enfusion have been taken into account by the Strategic Planning team in preparing the 'new' Regulation 25 Draft AAP).

It is essential as part of the plan-making and SA process to involve people both within and outside of the Local Planning Authority who can contribute expertise. Ongoing work with the following groups / organisations has assisted the process:

- Consultation with other Business Units of the Council to provide specialist knowledge in key areas, in particular in the compilation of baseline data.
- Consultation with external organisations as listed in Appendix B (including Statutory Consultees with environmental interest such as Natural England (formerly English Nature and the Countryside Agency), English Heritage, and the Environment Agency).

3.4 Who was consulted, when and how?

Consultation forms a very important component of the new planning system. The way in which Torbay Council will consult on the LDF documents is detailed in the Statement of Community Involvement (available at <http://www.torbay.gov.uk/sci>) to which the SA reports are in conformity.

Consultation forms a key component of the sustainability appraisal process as well. As the plan has developed care has been taken to ensure that findings from the SA process are fed back to the Officer preparing the DPD. The key points of consultation carried out for the appraisal of this SA are listed below:

Stage A: Consultation on the SA Scoping Report: The scoping stage went out for consultation for a 5 week period in February - March 2006. Every effort was made to contact all statutory consultees and local stakeholders were contacted to raise awareness of the availability of the scoping reports. The feedback from the Scoping Report consultation and how it has been considered is detailed in Appendix C.

Stage B: Consultation on Regulation 25 Pre-Draft Stage Issues and options SA Report. The appraisal work at this stage involved comparison of four Strategic Options:

1. manage the current situation in the harbour area (Business as Usual);
2. pursue a primarily leisure and tourism orientated role for the harbour area;
3. pursue a primarily retail role for the harbour area; and
4. seek a mix of Options 2 and 3.

The sustainability appraisal was made available for consultation alongside the Regulation 25 draft DPD. No consultation responses specifically relating to the SA were received at this stage.

Stage C: Preparation of SA report. Consultation on this document is being carried out as part of stage D. Before this public consultation occurred the documents were presented for discussion to the Torbay LDF Working Party (14th July 2009).

Stage D: Consultation on this document. This draft SA (and associated non-technical summary) will be published and made available alongside the draft DPD. Copies will be made available at the locations listed inside the front cover. The draft SA, like all the other SA documents produced thus far will be posted on the internet for information (www.torbay.gov.uk/ldf). The consultation period for this SA document will extend in parallel to the draft Torquay Harbour Area Action Plan DPD from Wednesday 26th August to Friday 9th October 2009.

Information on consultation responses: As part of stage D, following adoption of the DPD a 'Consultation Statement' will be issued to show the ways in which the responses to consultation have been taken into account. This document will therefore make clear how the DPD was changed as a result of the SA process and responses to consultation or why no changes were made.

3.5 Linkages to other assessments

The SA process provides opportunities to consider other more specific assessments such as Appropriate Assessment and Equalities Impact Assessment. The following section provides background information on these assessments and where they sit in relation to the sustainability appraisal process.

Habitats Regulations Assessment:

In October 2005 a European Court of Justice ruling directed that land use plans are subject to the provisions of Article 6 (3) and (4) of the Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora (Habitats Directive) ⁽⁵⁾. Land Use Plans may therefore require the undertaking of an Appropriate Assessment (AA) of their implications for European Sites. The purpose of AA is to assess the impacts of a land-use plan against the conservation objectives of a European site and to ascertain whether it would adversely affect the integrity of that site, whether alone or in combination with other plans and projects. Where significant negative effects are identified, alternative options should be examined to avoid any potential damaging effects. It is the responsibility of the Local Planning Authority to assess whether or not an AA is required and to carry out the AA in the preparation of a DPD or Supplementary Planning Document (SPD) where it is required.

There are no European sites present within the THAAP boundary area, however plans and programmes have spatial implications that can extend beyond the intended plan area boundaries. There are five European sites within a 20km search area of the THAAP boundary: South Hams SAC, South Dartmoor Woods SAC, Dawlish Warren SAC, Exe Estuary SPA and Exe Estuary Ramsar.

5 Case C-06-/04 (Commission v United Kingdom). European Court of Justice (ECJ) .20 October 2005

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The potential for the spatial developments proposed through the THAAP to have an [adverse] impact on the conservation objectives of the European sites within its area of influence has, in line with the requirement of the Habitats regulations, been considered through Habitats Regulations Assessment. The Habitats Regulations Assessment Screening Report which accompanies the THAAP Draft Consultation Document (Reg 25) is available on the THAAP web page <http://www.torbay.gov.uk/THAAP>.

Equalities Impact Assessment:

Equalities Impact Assessment is a systematic way of finding out whether a policy affects different groups equally. An Equalities Impact Assessment (EqIA) was carried out on the THAAP policies by the Strategic Planning Group in December 2008. The EqIA assessed the impact of the THAAP and found a potential for differential impact upon disabled people (disabled access not considered in policies) and young people (who may not benefit from the policies relating to the evening economy). An improvement plan was suggested including wider consultation (including a specific consultation) and better inclusion of disabled access in the THAAP policies.

3.6 Appraisal methodology

Each stage of the development of the DPD was appraised against the SA Framework of Objectives developed in the scoping stage.

An appraisal of the strategic options that were considered to be available to Council in the preparation of the DPD was undertaken, with each option tested against the 37 sub objectives contained in the Sustainability Appraisal Framework (these are ordered into 6 high level objectives). This was previously reported on in the Regulation 25 Pre-Draft: Sustainability Appraisal of Issues and Options.

The saved policies to which this DPD is related have not been subject to SA/SEA previously, therefore the most relevant and significant saved policy relating to this DPD was subject to sustainability appraisal.

The Area Action Plan strategic vision and objectives were subject to a compatibility analysis, to ascertain whether they are compatible with the Sustainability Appraisal Framework.

A 'Preferred Options' version of the THAAP was subject to a full compatibility analysis, including the Vision and Objectives. This document was not subject to public consultation due to changes in the plan-making regulations. The THAAP was subsequently recast as a 'new' Regulation 25 Draft consultation document with an amended Vision and objectives. This new version took into account the comments received to earlier public participation and the recommendations made by Enfusion for minimising potential negative impacts arising from the 'Preferred Options.'

Each emerging policy was appraised against the framework by using the following symbols to indicate levels of impact. Where both positive and negative impacts were predicted, a combination of these symbols is used.

++	Clear benefits	--	Clear negative impacts
+	Minor benefits	-	Minor negative impacts
~	No obvious impact	?	Impact cannot be determined

The majority of the assessments made within the appraisal matrix are qualitative and indicate expected trends. Trend identification is based upon discussions and data collection which occurred during compilation of the baseline data for the scoping report. Where possible, reference has been made to the baseline and any quantitative data within it, to support the assessment made. The assessment also makes reference, where possible, to the nature of the impacts in terms of their short-term / long-term nature, their magnitude and where appropriate their geographical scale.

3.7 Limitations and uncertainties

Throughout the development of the THAAP and the Sustainability Appraisal process, data gaps and uncertainties were uncovered. It is not always possible to accurately predict sustainability effects when considering plans at such a strategic scale. The impacts of development on biodiversity and cultural heritage, for example, will depend on more detailed information and studies undertaken at a site-level. These uncertainties have been acknowledged in the appraisal matrices, where applicable

There are also recognised gaps in baseline information which makes impact assessment under the 'business as usual option' problematic. This is recognised by a '?' in the matrix with brief commentary on the lack of data available. Whilst an attempt has been made to indicate the general assessment it should be recognised that it is difficult to make an accurate prediction where insufficient data exists as a baseline. Uncertainties include:

- Data on existing level of cycling and walking
- Current community strength around the harbour
- Level of current habitat fragmentation
- Water consumption levels around the harbour
- Levels of recycling in the harbour area

4 SA Scoping Summary

This section provides a brief summary of the information presented within the detailed Scoping Report. This summary has been updated to account for consultation responses from the Scoping stage. The key areas of work undertaken are:

Review of existing plans, policies and programmes to identify sustainability objectives which should be considered within the development of the THAAP DPD.

Baseline study identifying current sustainability issues within Torquay Harbour. This exercise assists in identifying issues which the Torquay Harbour Area Action Plan DPD could assist in improving or may stand to worsen.

Establishment of an SA Framework (objectives and indicators) by which to test the Torquay Harbour Area Action Plan DPD for sustainability as it progresses through the planning process.

4.1 Links to other strategies, plans and programmes and sustainability objectives

As part of this scoping stage for the LDF, a broad range of plans, policies and programmes were reviewed in order to identify sustainability objectives which should be considered during plan formulation. The identification of these objectives has assisted in creating a set of Sustainability Appraisal Objectives by which this plan will be tested (see Section 4.3). This list was originally published in 2006, and was revised and published again in May 2009. This revised list is available at <http://www.torbay.gov.uk/sustainabilityappraisal>

Those broad overarching issues of greatest relevance to the Torquay Harbour Area Action Plan DPD are listed below in Table 4.

1. Improve Health
<ul style="list-style-type: none">• Tackle health inequalities and the issues which lie behind them to become more socially inclusive.• Provide infrastructure to encourage routine daily exercise.• Improve mental health and wellbeing.• Reduce the number of people who smoke / drink.
2. Support communities that meet people's needs
<ul style="list-style-type: none">• Ensure provision of a range of good quality, sustainably designed and affordable housing which meets the needs of range of social groups.• Reduce crime and incorporate crime prevention measures to promote sustainable communities.• Recognise importance of developing vibrant communities where everyone is able to be involved in decision making promoting social inclusion and ownership of local living environments.• Promote development of a diverse range of good quality cultural activities which are accessible to all.• Recognise the social, environmental and economic value of open spaces.

3. Developing the economy in ways that meets people's needs

- Assist in regeneration of disadvantaged communities providing people with tools with which to increase income levels and improve their local environment.
- Encourage mixed use developments which enhance vitality and viability of local and town centres and provides a good range of facilities and services.
- Provide the infrastructure to assist in diversifying the economy encouraging development of local businesses as well as encouraging inward investment.
- Recognise and adapt to the changing nature of the tourist industry whilst working within local environmental capacity.
- Reduce vulnerability of the coast to climate change through careful coastal management.

4. Provide access to meet people's needs with least damage to communities and the environment

- Discourage car use.
- Assist in locating day-to day facilities (e.g. shopping, leisure and jobs) in locations easily accessible by walking/ cycling to a variety of groups.
- Manage development patterns to make fullest use of public transport.
- Give priority to public transport, cyclists and pedestrians over car users.
- Ensure accessibility for the disabled.
- Promote an integrated approach to transport and land use planning to increase efficiency of the transport systems.
- Encourage freight transport by rail/ sea to alleviate traffic congestion.

5. Maintain and improve environmental quality and assets

- Raise awareness of, and protect biodiversity value of designated and non designated sites and their interconnectivity.
- Promote sustainable patterns of development making better use of previously developed land.
- Protect and enhance landscape features and characteristics.
- Ensure retention of diversity and distinctiveness in building design and development patterns.
- Protect, enhance and raise awareness of historic assets and their social, economic and environmental value in Torbay.
- Recognise and manage flood risks (fluvial, coastal and surface water) and plan development to minimise it.
- Recognise the threats of sea level rise along Torbay's coastline.

6. Minimise consumption of natural resource

- Recognise the need to provide renewable energy, generate discussion on how this can be achieved and assist in meeting targets for renewable energy generation.
- Promote water efficiency and protect water resources.

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- Recognise the need for sufficient infrastructure to encourage and raise awareness of the need for sustainable waste management (recognition of the waste hierarchy, proximity principle and self sufficiency).
- Minimise levels of land, air, water, light, noise pollution.

Table 5 Key sustainability issues arising from a review of plans, policies and programmes

4.2 Baseline

The baseline study was carried out in order to identify current sustainability issues relating to the Torquay Harbour Area Action Plan. This part of the process is essential in order to highlight:

- problems which could be addressed through formulation of the DPD
- social, economic and environmental assets and attributes of Torquay Harbour which should be protected or enhanced

The information contained here has been extracted from a more detailed study of baseline conditions in Torbay undertaken and published in 2005-2006. This information was subsequently revised and published in May 2009 and is available at <http://www.torbay.gov.uk/sustainabilityappraisal>

The baseline summary commences with an overview of the general situation in Torbay to give some context. It is followed by a summary of the key findings ordered by 6 key sustainability issues, focusing on those issues considered to be the most applicable to the Torquay Harbour Area Action Plan.

A number of gaps in the baseline have been identified which could provide useful trend data. These are listed in Section 4.3 to be considered for future monitoring.

Torbay Overview



Figure 1 Torbay's geographical situation within the South West (© Torbay Council Licence No: 100022695)

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Torbay is one of nine unitary authorities in the South West. It comprises three main towns of Torquay, Paignton and Brixham which stretch around a sheltered bay on the south coast of Devon (See Figure 1 and 2).

Torbay's unspoilt coastline offers some 20 safe beaches and secluded coves along a 22 mile stretch, aptly named The English Riviera. Consequently, Torbay's economic base is tourism: It is both a touring centre for the wider area and as a result of its concentration of natural and developed attractions and facilities it attracts holiday makers staying outside Torbay.



Figure 2 Torbay Unitary Authority boundaries

It also has one of the nation's leading fishing ports at Brixham and a strategic concentration of high tech industry, mainly on the edge of Paignton. However, Torbay also experiences some of the classic problems common to the South West,

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including a peripheral location, high levels of migration of particular age groups, and a declining economy in some sectors. In spite of its affluent image, Torbay has one of the worst economic profiles in the South West.

Key issues relating to the Torquay Harbour Area Action Plan

Sustainability issues which relate to the Torquay Harbour Area Action Plan are summarised below in Table 5. They are ordered under the 6 High Level Objectives identified in Section 4.3.

1. Improve health
<ul style="list-style-type: none">• Careful management of the evening economy in the harbour is required to reduce high levels of smoking and drinking• A focus is required on provision of good quality open spaces and a good network of pedestrian and cycle routes to encourage higher levels of exercise.• Provision of an improved living environment and greater employment opportunities associated with harbour could help address mental health issues in Torbay
2. Support communities that meet people's needs
<ul style="list-style-type: none">• Torbay has a recognised need for affordable housing• In particular the Culture Strategy identifies a need for more recognised and visible physical base for cultural activities. This should complement what is already in place in terms of space for exhibitions, performances, events, rehearsals and particularly for local young people for informal activities.• Tormohun ward has high levels of deprivation and ranks within the top 10% in England for several types of deprivation including living environment deprivation• There is high fear of crime in Torbay with anti-social behaviour being perceived in particular as a serious issue.• There is a clear link between high crime rates and the evening economy in the Torquay harbour area
3. Develop economy in ways that meet people's needs
<ul style="list-style-type: none">• A need to address the seasonal nature of retail units and fluctuating number of vacancies in Victoria Parade, in terms of economic viability and the provision of part time and seasonal employment• Torbay needs to develop new niche markets in tourism (e.g. educational, business, activity, history or ecological tourism) to prevent a further reduction in the number of tourist nights and increase level of tourist spending• There is a recognised conflict between different niche markets in areas such the harbour (particularly in relation to the evening economy).

<ul style="list-style-type: none"> • There is a lack of purpose built office accommodation in Torbay. • Unemployment levels in the Tormohun ward are higher than the Torbay average. This could be linked, in part, to the seasonal nature of employment in this area.
<p>4. Provide access to meet peoples needs with least damage to communities and the environment</p>
<ul style="list-style-type: none"> • There is presently no dedicated cycle lane to the harbour and poor cycle infrastructure within the harbour. • Pedestrian links between the harbour and town centre are segregated by the A379 coast road • The harbour provides a strategically important bus link to other areas both within Torquay as well as to wider areas of Paignton and Brixham
<p>5. Maintain and improve environmental quality and assets</p>
<ul style="list-style-type: none"> • There is concern over the quality of a number of buildings in the harbour, unsympathetic alterations and the quality of the public realm. • TorquayHarbour is an important component of Torbay’s ‘Riviera’ landscape and should be protected and enhanced. • TorquayHarbour is designated as a conservation area and like many others is being subject to inappropriate development in some areas and in need of a co-ordinated approach to interpretation of the historic environment. • Torbay is designated as one of 28 Sensitive Marine Areas in England due to its diverse range of habitats and species, several of which are protected. • TorquayHarbour contains a historic park and garden. • Torbay and the harbour in particular has a history of fast flash floods in summer months linked to the high number of hard surfaces, steep topography and reduced lag time of runoff • There is a marked need to avoid development in areas of risk and encourage use of Sustainable Drainage Systems (SuDS) schemes to provide flood storage and reduced lag time. • Residential development in the harbour will assist in maintaining brownfield development but needs to be balanced against concerns of town cramming
<p>6. Minimise consumption of natural resources</p>
<ul style="list-style-type: none"> • The design and layout of any new development in the harbour area should promote energy efficient design and should not limit the long term possibilities of renewable energy generation. • Torbay is under increasing pressure to meet high recycling targets. Provision of recycling facilities for residential and commercial areas is essential. • It is essential to maintain the current high quality marine waters in Torbay. • The evening economy in Torbay is one of few significant noise sources in Torbay.

Table 6 Summary of key sustainability issues in Torbay

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Data Gaps

The above trends are based on data that is currently available listed in LDD3 of the SA Scoping report (<http://www.torbay.gov.uk/ldf>). There are a number of trends which are difficult to determine due to their largely qualitative nature. These include:

- Cultural activities - variety and quality of facilities.
- Quality of the open spaces in the harbour.
- Quality of design within townscape / landscape
- Amount and quality of interpretative material on historic environment

There are also limitations surrounding data collection on a harbour- specific level for example:

- Development of niche markets (i.e. range, quality and number of tourists involved).

As the appraisal and the DPD itself develops, indicators may be identified as a result of new work undertaken in association with the strategy. Where this is the case these will be included within the final full sustainability appraisal.

Those indicators listed in Appendix D will be measured annually in the Annual Monitoring Report (AMR). Any additional indicators developed for this specific Area Action Plan will also be monitored in the AMR.

Likely Evolution without the Torquay Harbour Area Action Plan

The SEA Directive requires consideration of the likely evolution of relevant aspects of the current state of the environment without plan implementation. In relation to the Torquay Harbour Area Action Plan it is difficult to determine future trends as many trends are influenced by factors outside of the scope of this very localised plan (for example alcohol intake or obesity).

However a number of general trends have been identified where the THAAP is likely to have greatest influence. Without implementation of the plan the following trends are likely to continue:

- Tormohun is likely to continue to be an area of high living environment deprivation (The THAAP area is predominantly within this area)
- Levels of alcohol and obesity are likely to continue to increase
- Torbay, and Tormohun in particular will continue to have insufficient access to affordable housing
- There will be a continued deficiency in recognised and visible physical base for cultural activities
- There will continue to be a clash between the evening economy and other cultural activities which contribute to a lack of business diversification and negative profile.
- The range of job opportunities will remain limited
- A continued underutilisation of upper floors of units will occur

- The number of tourist nights is presently stagnant and if Torbay does not diversify into new niche markets in tourism (of which the harbour is of strategic importance), it will lose its market share to other areas in Devon
- Tormohun could continue to experience higher than Torbay-average number of residents claiming job seekers allowance
- A continuation in the seasonal nature of retail units in Victoria Parade and Torwood Street, reducing consumer choice and time spent in the Harbour Area
- A continued physical separation of the harbour from Torquay town centre by the coast road
- Many of the harbour heritage assets will continue to be degraded by unsympathetic alterations and declining quality of the public realm
- The cost of maintaining piers will increase due to their deterioration
- Flooding from surface water could become an increasingly frequent occurrence if sustainable drainage systems are not incorporated in new development. This may be further exacerbated by increasing numbers of storm events associated with climate change
- Torbay will maintain low levels of production of renewable energy unless developed elsewhere
- Torbay's coastal water will continue being of high quality, albeit with potential for damage to seagrass beds from intensification of boating and increased development.
- A failure to improve flood defences may lead to harbour businesses vulnerable to increased flood events

It is important to recognise that other plans and strategies may influence these trends should the THAAP not be implemented. However it is anticipated that the THAAP would bring together the many plans and strategies which exist surrounding the harbour area to provide an integrated and holistic approach.

4.3 Sustainability Appraisal Framework

An overarching Sustainability Appraisal Framework has been identified as a means of describing, analysing and comparing sustainability effects of the plan. This framework comprises a set of:

- Sustainability Appraisal objectives with which to test the plan throughout its evolution (see section 4.3)
- Sustainability indicators with which to measure the effects of the plan in the future (section 4.3)

The Sustainability Appraisal objectives and indicators will be common to all the Local Development Documents in order to ensure a consistent approach to appraisal throughout the LDF.

4 SA Scoping Summary

Sustainability Appraisal Objectives

In accordance with guidance from the South West Regional Assembly the sustainability objectives adopted for this appraisal have been derived from the Strategic Sustainability Assessment (SSA) of the South West Regional Spatial Strategy ⁽⁶⁾

The SA framework comprises a two tier structure of 6 broad 'High level objectives' explained by 31 more specific 'detailed questions' or sub-objectives outlined in Table 6. An additional 5 local sub objectives have been added to create a total of 36 sub objectives. These are listed in table 6. Where sub objectives have been reworded or new sub-objectives added (on top of the RSS framework) these are indicated in *italics*.

The number of sub-objectives is in excess of the recommended 15-25, a point which was raised in the consultation responses. Attempts were made to reduce the number of objectives however it was felt that a lesser number would result in a number of sustainability issues being omitted from consideration. It is anticipated that not all the sub objectives will be relevant to each of the DPDs and SPDs.

High Level Objectives	Sub-objectives (does the policy/ proposal...)
1. Improve health and wellbeing	1.1 Improve health and wellbeing
	1.2 Reduce Health inequalities
	1.3 Promote healthy lifestyles, especially routine daily exercise
	1.4 Allow for adequate provision of health services (in particular to address the high proportion of elderly residents)
2. Support communities that meet people's needs	2.1 Help make suitable housing available and affordable for everyone (to address a significant shortfall of affordable housing and projected increase in population)
	2.2 Give everyone access to learning, training skills and knowledge
	2.3 Reduce crime and fear of crime
	2.4 Promote stronger and more vibrant communities
	2.5 Increase access to and participation in cultural activities

6 Regional Spatial Strategies represents the next tier up in the planning process from Local Development Frameworks and set the planning context for, in this case, the South West region

4 SA Scoping Summary

High Level Objectives	Sub-objectives (does the policy/ proposal...)
3. Develop the economy in ways that meet people's needs	3.1 Promote diversification of the economy to provide a range of satisfying job opportunities
	3.2 Help everyone afford a comfortable standard of living
	3.3 Reduce poverty and income inequality
	3.4 Meet local needs locally
	3.5 Increase the circulation of wealth within the region
	3.6 Harness the economic potential of the coast in a sustainable way
	3.7 Reduce vulnerability of the economy to climate change and harness opportunities arising
	3.8 Contribute to the regeneration and quality and diversity of the tourism industry
	3.9 Reduce reliance on seasonal and part time work within Torbay.
4. Provide access to meet people's needs with least damage to communities and the environment	4.1 Reduce the need/ desire to travel by car
	4.2 Reduce the need/ desire to travel by air
	4.3 Help everyone access basic services easily, safely and affordably (in line with projected population increase)
	4.4 Make public transport , cycling and walking easier and more attractive
	4.5 Encourage a switch from transporting freight by road to rail or water
5. Maintain and improve environmental quality and assets	5.1 Protect and enhance habitats and species (taking account of climate change)
	5.2 Promote the conservation and wise use of land
	5.3 Protect and enhance landscape and townscape
	5.4 Value and protect diversity and local distinctiveness including rural ways of life
	5.5 Maintain and enhance cultural and historical assets
	5.6 Reduce vulnerability to flooding, sea level rise (taking account of climate change)

4 SA Scoping Summary

High Level Objectives	Sub-objectives (does the policy/ proposal...)
	5.7 Minimise habitat fragmentation and provide opportunities for new habitat creation or restoration
6. Minimise consumption of natural resources	6.1 Reduce non-renewable energy consumption and 'carbon emissions'
	6.2 Keep water consumption within local carrying capacity limits (taking account of climate change)
	6.3 Minimise consumption and extraction of minerals
	6.4 Reduce waste not put to any use
	6.5 Minimise land, water, air, light, noise and genetic pollution
	6.6 Maintain and enhance the quality of Torbay's beaches and coastal waters

Table 7 Sustainability Appraisal Objectives (as adapted from the RSS Strategic Sustainability Assessment)

These objectives have been successfully tested for internal compatibility and for compliance with the SEA Directive. The findings can be viewed in Appendix D.

Sustainability Appraisal Indicators

As part of the SA Scoping stage a full list of all SA indicators by which to test the Plan for sustainability was developed and is included in Appendix D. A full list of indicators covering broad sustainability issues in Torbay is included in Part 1 of the Scoping Report. Within this list there are a number of indicators which are relevant to the Torquay Harbour AAP for example:

- Fear of crime
- Actual crime rates
- Number of planning applications with an Urban Design Statement.
- Number of listed buildings at risk
- Marine bathing water quality

It is notable that whilst these indicators do relate in some way to the Torquay Harbour Area Action Plan, the links are indirect and the data derived may be influenced by issues and areas outside of the Torquay Harbour Area Action Plan.

A number of indicators are suggested below which are specific to the harbour area. These will be further developed for the Sustainability Appraisal submission document.

- The number of categories of deprivation within which Tormohun falls within the top 10% in England (Indices of Deprivation).

- Number of affordable housing units provided in the harbour area.
- Number of anti-social behaviour offences (alcohol-related incidents).
- Number of vacancies and seasonal closures in retail units in the harbour area.
- Number of listed buildings at risk located in the harbour area.
- Restoration of buildings in the harbour area,
- Loss of buildings in the harbour area
- Extent of coverage of seagrass beds in harbour
- Loss of holiday accommodation within Torquay Harbour Area Action Plan area.
- Implementation of enhancement schemes
- Provision of new tourism facilities

Limitations

Every effort has been made to provide indicators for each of the sub objectives as listed in Appendix D. However it should be recognised that not all aspects are easy to measure. For example the qualitative nature of 'lifestyles free from anxiety and exhaustion' is difficult to measure but still represents an important factor to consider during the assessment process (hence the sub objectives are retained in the framework). In this case measurement of sub-objectives may be skewed towards indicators which are collectable. This may result in a deficiency of qualitative indicators as the survey work from which this type of data is derived tends to be done irregularly and on an ad hoc basis. It is anticipated that the SA indicators will be collected for the Torquay Harbour Area Action Plan SA Scoping Report annually and that every three years will be accompanied by an analysis and commentary which will take on board discussions with relevant Council Officers and organisations as to the wider (more qualitative) issues surrounding the quantitative data.

5 Developing and Refining Options

5.1 Introduction

The next stage in the SA process ran parallel to the Issues and Options Stage of the planning process for the Torquay Harbour Area Action Plan DPD published in 2006. The report was part of Stage B in the SA process and aimed to test each of the Torquay Harbour Area Action Plan DPD options for sustainability identifying any potential positive or negative effects. The full detailed appraisal is available separately in the Regulation 25 Pre-draft Issues and Options Sustainability Appraisal report, available at <http://www.torbay.gov.uk/THAAP>. The findings within the report informed the Council and consultees of the sustainability implications of each option in order to assist in deciding on the most appropriate one to take forward.

The Issues and Options SA report compared the sustainability implications of each option:

Option 1: *manage the current situation in the harbour area (Business as Usual);*

Option 2: *pursue a primarily leisure and tourism orientated role for the harbour area;*

Option 3: *pursue a primarily retail role for the harbour area; and*

Option 4: *seek a mix of Options 2 and 3.*

These options are documented below, followed by the sustainability appraisal of Options 2, 3 and 4. A separate appraisal of Option 1 has not been undertaken as this option is representative of the baseline or 'Business As Usual' scenario. This allows a comparison (of sustainability) between the proposed options and the 'Business As Usual' situation should we continue under the currently Adopted Torbay Local Plan, without implementation of an Area Action Plan for the Harbour area.

Options considered in the Issues and Option paper on the Torquay Harbour Area Action Plan DPD (2006):

Option 1: Manage the current situation in the harbour area (Business as Usual): Under this scenario, the current situation would be managed through the operation of existing policies including the Licensing Policy, and a minimal amount of development would occur on sites which are allocated in the Adopted Local Plan. In addition, improvements would be made to specific buildings through the THI (Townscape Heritage Initiative). However, this alone would fail to address a number of critical weaknesses and threats to the harbour area. It is very unlikely that this would allow the spiral of decline currently being experienced by the harbour area to be broken, and the social, economic and environment problems identified in Appendices D and E could worsen. This option would still require further development and resourcing of management strategies (i.e. policing and licensing).

5 Developing and Refining Options

Option 2: Pursue a primarily leisure and tourism orientated role for the harbour area: By introducing improvements to the leisure and tourism facilities offered by the harbour area (such as restaurants, cafés, holiday accommodation and other attractions), a more diverse mix of leisure and tourism uses could exist than at present. So long as care was taken to ensure that such development did not encroach on the working harbour, this option could also support a minimal amount of improved leisure marine facilities and the development of further water passenger facilities (including passenger boats, reception of cruise liners, and provision of additional mooring facilities) in the harbour.

Option 3: Pursue a primarily retail role for the harbour area: By seeking to introduce greater scope for retailers to locate in the harbour area, not only would this assist in improving the competitiveness of Torbay, but would help to improve the quality and appearance of the harbour area generally, if developed in a sensitive manner. Appropriate sites would need to be identified from those shown in Figure 8, though scope for larger retail developments on these sites may be limited without a more creative approach to redevelopment of The Strand and Victoria Parade. This would also require a concerted effort to overcome the barrier caused by the coast road which currently bifurcates the harbour area from the rest of the town centre. Without these measures, it is possible that the harbour area could develop at the expense of the retail function of the rest of the town.

Option 4: Seek a mix of Options 2 and 3: This option would improve the balance and raise the quality of tourism, retail and leisure uses in the harbour area, to enhance levels of activity and vibrancy. In addition, opportunities could be sought for residential development as part of mixed-use schemes on identified sites, by which to provide a mixed and balanced community. A danger of this could be a resultant loss of focus for the harbour area, if concerted efforts were not made to improve its physical quality and enhance its character and sense of place, by raising standards of development on identified sites and existing buildings, and pursuing schemes to raise the quality of the tourism product through local and regional tourism strategies.

5.2 Key Findings

The full detailed appraisal matrix for all the options is included in the Regulation 25 Pre-draft Issues and Options Sustainability Appraisal report. For ease of reference a brief outline has been compiled of the key positive and negative impacts for options 2-4 and is included below for reference (option 1 represents the existing situation as outlined in section 4.2):

5 Developing and Refining Options

Option 2: Pursue a primarily leisure and tourism orientated role for the harbour area

Positive Impacts:	Negative Impacts:
√ Improvement in living environment	X New jobs focused on tourism/ recreation will provide largely part-time, low paid and seasonal positions
√ Increased number of jobs provided will help to diversify and strengthen the tourism industry	X No provision of additional houses to address affordability issues in Torbay
√ A better mix of leisure may reduce the dominance of the evening economy and related anti-social behaviour	X Concentration of economic infrastructure in the harbour will increase the requirement for long term maintenance of sea defences
√ Provides good opportunities to develop niche markets in cultural and historic tourism	X Marine activities encouraged by this option may have a detrimental effect on marine environments of high nature conservation value (including the nearby presence of species included in the European Habitats Directive including the bottlenose dolphin and harbour porpoise)
√ Reception of cruise ships could have direct economic benefits to the immediate harbour area as well as the wider Torbay area	X Places economic infrastructure at risk from flooding and sea level rise
√ Opportunities for sustainable design to be incorporated into new buildings	X Possible negative impacts on water quality associated with particular types of water pollution in coastal waters
	X This option will not address the under provision of purpose built office accommodation in Torbay
	X The new build under this option will result in extraction and consumption of minerals

Option 3: Pursue a primarily retail role for the harbour

Positive Impacts:	Negative Impacts:
√ Improvement in living environment	X No clear provision for affordable housing

5 Developing and Refining Options

Positive Impacts:	Negative Impacts:
√ Possible incorporation of cultural activities as part of the street scene	X This option will not address the under provision of purpose built office accommodation in Torbay
√ Will help to strengthen the retail role and competitiveness of Torbay regionally and of Torquay as a town centre	X Places economic infrastructure at risk from flooding and sea level rise
√ Could assist in addressing the clusters of vacancies and seasonal closures around the harbour.	X Risk of the harbour area developing as a separate retail centre at the expense of the northern part of Torquay town centre due to separation between the two by the A379 coast road.
√ Will provide a number of year around jobs helping resident in Tormohun and surrounding areas to afford a comfortable standard of living	X Opportunities may be missed by which to develop niche markets in cultural and historic environments
√ Could help to meet local needs locally (reducing the need to travel elsewhere for retail)	X Development The harbour will increase the requirement for long term maintenance of sea defences
√ Year around retail use can increase efficiency of currently underutilised buildings and areas of land in the harbour	X The new build under this option will result in extraction and consumption of minerals
√ Anticipated improvement to the quality and appearance of the harbour	X Care is required to ensure that any new build will not result in contamination or sediment input to the waters.
√ New buildings, if carefully planned could provide examples of innovative design in terms of energy efficiency.	

Option 4: Seek a mix of options 2 and 3

Positive Impacts:	Negative Impacts:
√ Improvement in living environment	X Possible conflicts between housing use and the evening economy

5 Developing and Refining Options

Positive Impacts:	Negative Impacts:
√ Integration of housing assists in meeting housing needs	X The harbour will increase the requirement for long term maintenance of sea defences
√ Provision of housing on brownfield sites prevents alternative development on greenfield sites	X Possible negative impacts on nature conservation (dependent upon the type of tourism/ recreation facilities proposed, marine based improvements) (including impacts upon the nearby presence of species included in the European Habitats Directive including The bottlenose dolphin and harbour porpoise)
√ Mixed use approach is likely to encourage sustainable transport	X Places economic infrastructure at risk from flooding and sea level rise
√ Reduce Crime: Mixed use approach will reduce the chance of dead spaces or times. Residential use increases chance of passive surveillance	X The new build under this option will result in extraction and consumption of minerals
√ Provides opportunities for a mixed use approach	X Possible detrimental impact on water quality depending on the type of development proposed for tourism and leisure.
√ Mixed use approach provides opportunities for strong and vibrant communities.	
√ Mixed use approach could incorporate cultural activities	
√ Promotes diversification of the economy	
√ May help to address the pockets of seasonal closure in the harbour	
√ Opportunities for integration of purpose built office facilities	
√ Helps people meet their needs locally	
√ Will reduce the need to travel by providing a range of facilities locally	

5 Developing and Refining Options

Positive Impacts:	Negative Impacts:
√ Improvements proposed to improve the physical quality and enhance the character and sense of place	
√ Possible incorporation of new buildings with innovative design	

This is only a simplified summary. The detail which lies behind this summary is included in the Regulation 25 Pre-draft Issues and Options Sustainability Appraisal report which, where possible, makes reference to the nature of the impacts in terms of their short-term / long-term nature, their magnitude and where appropriate, their geographical scale. Where significant negative impacts are listed, potential mitigation has been identified where possible.

6 SA of Saved Local Plan Policy

6.1 Introduction

The saved policies to which this DPD is related have not been subject to full SA/SEA therefore to ensure that a thorough approach has been taken to the assessment of the DPD; it has been deemed prudent to undertake a basic appraisal of the key relevant local plan policies to ensure their compatibility with the SA Framework objectives (Appendix E). The most significant and relevant policy is that which relates to the harbourside and waterfront regeneration, provided below. The sustainability appraisal of this policy is provided in section 6.3 below.

6.2 Summary of SA of Saved Adopted Torbay Local Plan Policy

Policy TU1

Harbourside and waterfront regeneration

The regeneration and enhancement of harbourside and adjoining waterfront areas in Torquay (TU1.1) and Brixham (TU1.2) is proposed through the following measures:-

- 1. the protection of the economic, maritime, tourism and retail roles of the areas and the maintenance of their attractiveness for visitors and shoppers;*
- 2. the resistance to changes of use which detract from the special qualities of the areas and in particular the special character of the Torquay Harbour and Brixham Town Conservation Areas;*
- 3. support for the introduction of appropriate new development which contributes to the enhancement of the areas as locations for all year round tourism and retailing;*
- 4. the refurbishment of existing premises and frontages surrounding the harbour to a high standard of design;*
- 5. the introduction of landscaping and streetscaping works to enhance the visual attractiveness of the harbourside and waterfront settings; and*
- 6. appropriate traffic management measures which maintain a satisfactory amount of offstreet car parking, in accordance with the operative parking standards (set out in Policy T25), improve levels of accessibility to the areas and enhance conditions for pedestrians.*

6.3 Conclusion

The saved policy performs reasonably well against the majority of objectives, especially those relating to health, the economy and the character of the area. The policy will have a minor positive impact on health and wellbeing through enhanced conditions for pedestrians and the promotion of a more attractive landscaped environment. It will also have a minor positive impact on the reduction of crime and anti-social behaviour through high quality design and an increase in the vitality of the area. Conservation areas will also be protected from development

6 SA of Saved Local Plan Policy

proposals that detract from the special qualities of these areas, which arise from local identity and distinctiveness. These factors will also contribute to positive impacts on the strength and vibrancy of the community.

The policy will have long-term positive impacts on the regeneration of the tourism industry through the protection of existing businesses and the promotion of appropriate new developments that contribute to the enhancement of the areas as locations for year round tourism and retail.

However, since the policy was adopted, there has been an increased focus on the importance of sustainable design and construction in reducing environmental impacts, and improvements in our understanding of the impacts of climate change. Sustainable development is now central to the planning system. Therefore any future Core Strategy policies on the Harbour, and the Torquay Harbour Area Action Plan itself should have a stronger emphasis on sustainable design and construction and should contribute to a reduction in car use across the District.

7 SA of Preferred Options

7.1 Introduction

During September 2007, the Torquay Harbour Area Action Plan DPD (Preferred Options) was appraised in detail, with recommendations made available to Officers to further influence the development of the document. This document did not go out for public consultation due to changes in the plan-making regulations. The results are outlined in section 7.2 below. During 2008 and 2009 the Preferred Options were developed into the current Regulation 25 Consultation. This was subject to further sustainability appraisal and this is outlined in sections 7.3 - 7.22 below.

The method adopted for the appraisal is briefly outlined below.

The likely effect of each Option upon each SA sub-objective was considered and recorded in accordance with the Appraisal key:

++	Clear benefits	--	Clear negative impacts
+	Minor benefits	-	Minor negative impacts
~	No obvious impact	?	Impact cannot be determined

A commentary was provided to further clarify predicted effects, concentrating on the sub-objectives which are directly relevant to the topic under assessment. Where indirect impacts are identified these are also included in the matrices. These matrices are presented in Appendix F.

Where conflicts were identified, possible measures to offset adverse effects (mitigation measures) were considered. Opportunities to enhance policies (enhancement measures) were also considered and these recommendations are provided in the right hand column of each matrix, again presented in Appendix F. Generally these relate to changes to the wording of individual sections of the AAP, or include recommendations to be considered in the drafting of the Torbay Core Strategy or in the consideration of future development applications in the harbour area.

7.2 Summary of SA of Preferred Options (2007)

The Sustainability Appraisal of Preferred Options was undertaken in 2007. The emerging policies (Preferred options) were subject to sustainability appraisal, with recommendations for mitigations, enhancements and monitoring provided. The Sustainability Appraisal found that the plan would overall have positive effects for sustainability in the Harbour and wider area, and a number of recommendations were made to further improve the sustainability of the plan. The detailed results can be found in the appraisal tables at Appendix F, and the key recommendations are summarised briefly below:

- A number of policies could have a stronger focus on meeting local needs, and ensuring that regeneration benefits the local community, for example through safeguarding important community land uses and retail facilities.

- A stronger focus on sustainable construction and design throughout the document is recommended; this could be implemented through a new policy on sustainable construction
- Equalities could be further considered when looking at land uses on upper floors and ensuring that residential properties are accessible to all.
- Flooding impacts should be further considered, including the need for new development to reduce surface-runoff; flood resistant development, and the implications of new development within areas susceptible to tidal flooding. Climate change impacts, in particular sea level rise should be further considered.
- The plan should have a stronger focus on maximising public transport use; walking and cycling should be further encouraged. Recommendations include: improvements to public transport along the coastal road, and enhanced public access to the coast should be encouraged.
- Policies could have a better focus on the preservation of habitats and species, including seagrass species in the harbour area.
- Concern was raised about the potential loss of registered garden due to redevelopment proposals.
- The need for high quality design and design that is sensitive to the heritage character of the area was raised as a key concern.

7.3 Summary of SA of Draft Consultation Document (Regulation 25) 2009

As a result of ongoing responses and the recommendations outlined above, changes to the THAAP Vision, Objectives and policies were made during 2008-2009. In May 2009 Enfusion reviewed a THAAP Draft Consultation Document (Regulation 25) and determined that due to the scale of changes to policies, additional SA would be required. The results are detailed below:

7.4 THAAP Vision and Objectives

The Draft Consultation Document (Regulation 25) Vision and Objectives essentially cover the same issues as those assessed for compatibility in 2007, the most significant changes have occurred in relation to the structure of the objectives. It was therefore determined that further detailed analysis would be unnecessary as the findings of the previous compatibility analysis (Appendix F) would still be relevant.

The Draft Consultation Document (Regulation 25) Vision contains similar aspirations to that of its predecessor which includes fulfilling the Harbour's potential as a place of a high quality that is used by both the local community and visitors. The previous Strategic Vision (2007) was found to be compatible with SA objectives, especially against the high level objectives relating to health, communities and the economy; this is all still applicable. A thriving tourism/leisure industry, a range of year-round employment and a safe environment are all required to achieve a place of exceptional quality that is used by both the local community and visitors.

7 SA of Preferred Options

The THAAP objectives have been amended to now indicate the types of development and actions necessary to deliver the THAAP's Vision. The findings of the previous compatibility analysis are still relevant as the old objectives outlined the potential outcomes of the current objectives. For example, delivering new quality employment opportunities (Current Objective 3) could help to improve the social and economic performance of the Harbour area (previous Objective 4B). The amended THAAP objectives are therefore considered to be compatible with the SA objectives.

7.5 THAAP Strategic Harbour Policies

It was determined that a detailed SA of the Draft Consultation Document (Regulation 25) Strategic Harbour Policies (THS, TH1, TH2 & TH3) would be required as the remaining site specific development policies (TH4 to TH14) are required to be consistent with the strategic policies, therefore, it is important to ensure that they have been thoroughly appraised. The detailed appraisals were carried out using the same method outlined above in section 7.1.

7.6 Policy THS Sustainable Harbour Area

Policy THS

A Sustainable Harbour area

The Council will require development to be sustainable.

New development in the Harbour area will be required to:

1. Contribute to a balanced mixture of uses, in particular those that support the area's revitalisation, social fabric, quality of life and assist economic diversity and choice;
2. Allow for the continued day-to-day operation of the 'working harbour';
3. Be of a high quality design which is fit for purpose and creates an attractive, usable, safe and accessible place with a strong sense of local identity;
4. Make the best use of land by achieving a level of development appropriate to its Conservation Area status and urban character;
5. Ensure a healthy environment for the users of all new development;
6. Conserve the natural environment, avoiding harmful impacts on TorBay;
7. Provide and promote alternatives to the private car to make the Harbour accessible to all and be acceptable in terms of any additional traffic which is generated and on-site car parking provision.

The policy was appraised as having positive impacts on all the SA high level objectives, particularly against SA objectives relating to health, social inclusion, the economy and environmental quality. It will have long-term positive impacts on the vitality of the Harbour by ensuring that development contributes to a balanced mix of uses, which will assist the regeneration of the economy and

therefore reduce poverty through an increased range of employment opportunities and income inequality in one of the most deprived areas in Torbay. Requiring high quality design for all new development and improving access to the Harbour could regenerate and diversify the tourism industry in the area through increasing the attractiveness of the Harbour.

The previously mentioned benefits to the economy along with an improved built environment will assist in reducing crime and improving social inclusion, which will help to create a stronger and more vibrant community. There will also be positive impacts on the health of residents and visitors as the policy ensures a healthy environment for all users of all new development in the Harbour. Making the Harbour accessible to all through the provision and promotion of alternatives to the private car will have indirect positive impacts on health by encouraging walking and cycling in the area.

The policy requires that new development will conserve the natural environment, avoiding harmful impacts on TorBay which will have positive impacts on the protection of habitats and species and have indirect positive effects on the quality of Torbay's beaches and coastal waters.

7.7 Policy TH 1 Sustainable construction and design

Policy TH1

Sustainable construction and design

Recognising the significance of Torquay Harbour as a centrepiece for the Bay's regeneration, it is important that sustainable construction and design are embedded in new development as an exemplar for the Bay. New developments will be required to:

- Show that energy consumption, carbon emissions and the use of materials during the lifetime of the building have been minimised through effective design and appropriate construction methods;
- Be suitable for the current climate and adaptable to the predicted effects of future climate change;
- Demonstrate that 10% of the energy that will be used comes from renewable or low carbon and local energy sources, unless it can be argued this is harmful to the development's setting, local amenity or viability;
- Provide evidence that the Development Management Sustainability Checklist has been adhered to during the development process.

The detailed SA assessed that the policy (developed in response to concerns raised during the SA process) has the potential to have long-term positive impacts on reducing the consumption of natural resources by requiring that new development incorporate sustainable construction and design. New developments will be required to show that energy consumption, carbon emissions and the use of materials are minimised during the lifetime of the building. This will have indirect

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positive impacts on habitats and species through reduced emissions, water consumption and pollution incidents, which could lead to improvements in the environmental quality of the Harbour. This will also have associated benefits for the health of the community.

The policy also requires that new developments are adaptable to the predicted effects of future climate change, such as increased flooding. The policy therefore has the potential to reduce the risk of flooding, which could reduce the vulnerability of the economy to climate change and improve the health of the population.

The appraisal also identified that requiring high levels of sustainable design and construction could have implications for deliverability of lower cost market housing, e.g. the first time buyers due to the associated costs.

7.8 Policy TH 2 Flooding and coastal management

Policy TH 2

Flooding and coastal management

There is a significant risk of flooding in the Harbour area. New developments will be required to:

- Take account of current and future flood issues and reduce the risk of all forms of flooding both to and from the development;
- In flood risk areas, provide appropriate flood risk management measures;
- Prepare a Flood Risk Assessment showing how the risk of all forms of flooding have been minimised over the development's lifetime, taking the impact of future climate change into account;
- Be compatible with the strategic objectives of the "Shoreline Management Plan" for managing the risk to people, property and the natural environment.

The policy seeks to reduce the risk of flooding in the Harbour Area by requiring new developments to take account of current and future flood issues, through the production of FRA, which will ensure that all forms of flooding are minimised over the development's lifetime. The policy will have long-term positive impacts on flood risk in the Harbour area. Taking account of future flooding issues will also help to reduce the vulnerability of the economy to climate change. There will also be associated indirect positive impacts on the quality of Torbay's beaches and coastal waters as flooding can have significant adverse impacts on water quality.

7.9 Policy TH 3 Transport and access

Policy TH 3

Transport and access

Where appropriate, new development will be required to contribute towards the following proposals to provide improved opportunities for access and sustainable modes of transport within the Harbour area:

1. Upgrading of walking routes through the Harbour area at Rock Walk/Royal Terrace Gardens, Princess Gardens, the Strand, the (Princess) promenade, Torbay Road and Cary Green;
2. Improved connectivity between the Harbour and the rest of the town centre and enhanced pedestrian crossing at the Clock Tower;
3. Introduction of the full pedestrianisation of Victoria Parade;
4. Provision of a new dedicated cycle route to the Harbour;
5. Establishment of an all year round fast ferry service, with associated land based facilities, between Torquay and Brixham;
6. Improvement of bus and taxi passenger waiting facilities in the Strand with 'Real Time' information services;
7. Provision of dedicated bus and taxi running lanes in the Strand and Cary Parade to reduce conflicting movements;
8. Permanent reallocation of highway space in Torbay Road to allow a single lane running in each direction;
9. Improved provision of dropping-off space for coaches.

The provision of a choice of sustainable transport options and enhanced conditions for pedestrians will encourage walking and cycling in and around the area. This will not only benefit health through increased physical activity but will also improve air quality in the area as the number of cars are reduced. There are also potential indirect positive effects on the economy through improved access to the Harbour. The SA of the Preferred Option Policies (2007) recommended that there was potential for the THAAP to improve the cycling network, which has now been incorporated into policy TH3, through the provision of a new dedicated cycle route to the harbour.

7.10 THAAP Site Allocation Policies

The THAAP Preferred Options (2007) contained twenty two site specific development policies, which have now been consolidated into Site Allocation Policies TH4 to TH14. It was determined that carrying out detailed appraisals of these policies would not be required, as they generally propose the same development types and public realm improvements as the previous preferred policies. Therefore the assessment of effects within the previous detailed

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appraisals still stand (Appendix F). A small summary was produced for each of the site allocation policies (TH4 to TH14) to outline how they have progressed since 2007 and detail the sustainability implications of these changes.

7.11 Policy TH4 : North Quay, the Pavilion and Princess Gardens

The policy supports the development of range of uses in the area of North Quay and the seaward side of the Pavilion. Development in these areas was previously proposed in policies CA2.7, CA2.9 and CA2.10. Policy TH4 makes reference to flood risk in the supporting text but does not specifically identify it within the policy as previously done by policies CA2.7, CA2.9 and CA2.10, as this issue is now addressed in Strategic Harbour Policy TH2. Policy TH4 no longer supports the building of a casino, as in policy CA2.9, which was previously appraised as having the potential to exacerbate social problems, such as gambling addiction, crime and anti-social behaviour.

As identified previously in the detailed SA of policies CA2.7, CA2.9 and CA2.10, the restoration and regeneration of the North Quay, Pavilion and Princess Gardens has the potential to improve the aesthetics and vitality of the area. This could assist in the regeneration of the tourism industry and give community members the chance to interact in a pleasant environment, through the provision of flexible spaces for a range of cultural and leisure activities. There is the potential for long-term positive effects on SA objectives relating to the economy, health and communities. Permitting housing on the upper floors is positive for SA objectives relating to housing and crime prevention through natural surveillance.

The policy responds to the SA Preferred options recommendation through providing greater clarity regarding land-uses that would be considered “small-scale”, and the types of development that would be considered appropriate in terms of community benefit. The SA also recommended further detail on an acceptable scale and design, which is now included in the policy and a potential developable area has been identified to confine development to the marginal fringes of the garden, in response to concerns raised about the impact of development on the registered gardens. The supporting text states development should be confined to the more marginal fringes of the Garden; the majority of the Gardens would be retained and restored. New buildings within the “potential developable area” would be expected to enhance the setting of the Pavilion and enhance its setting. The SA recommends that any development in this key strategic and sensitive Harbour-side location minimise the loss of public space and provide maximum benefit to the local community. Any such development should be sensitively designed and of a high architectural quality and should be open to the public - for example, a small gallery, café or community centre.

7.12 Policy TH5: Princess Theatre

The policy contains the same development as previously proposed in policy CA2.8, which involves the extension and protection of the Princess Theatre. Therefore the detailed SA carried out for Policy CA2.8 is still relevant. The summary of the detailed SA identified that a conflict existed between providing improved cultural facilities for the community on the one hand, whilst decreasing available public

space, and intruding on the registered PrincessGardens on the other. Despite this conflict, the policy performs well against the SA objectives relating to communities, cultural activities and the economy. It has the potential to have long-term positive impacts on the participation of cultural activities in the Harbour area. The provision of cultural activities in the evening will have a positive effect on reducing crime and anti-social behaviour through increasing activity at this location, particularly at night-time.

As identified for policy TH4, any loss of the registered garden would therefore need to be strongly justified in terms of maximising community benefits. The lost open space could feasibly be offset through improving the quality of the existing space or provision elsewhere. If Council proceeded with an extension to the theatre, then high quality design must be insisted upon and design must be sensitive to the site to minimise impacts on the gardens and seafront.

7.13 Policy TH6: Cary Parade amusement arcades

The policy supports the redevelopment of the Cary Parade amusement arcades, which was previously contained within policy CA1.2. Policy TH6 no longer promotes the enhancement of Cary Green and improvements to taxi picking up/dropping off points as these are now covered in policies TH3 and TH13. The detailed SA carried out for Policy CA2.8 assessed that the redevelopment of Cary Parade amusement arcades could have minor positive effect through improving safety and perceptions of safety in the Cary Parade area. The proposal is likely to have a minor positive effect on local economy through providing increased job opportunities in the tourism/ leisure/ cultural industries (although this may be seasonal employment).

Policy TH6 also contains criteria relating to the consideration of the provision of access routes to be used in the event of flooding and the relationship of the development with the public footpath at the rear of the site and the neighboring Fleet Walk car park and shopping centre, which could have positive impacts on access and health.

7.14 Policy TH7: Victoria Parade (various buildings)

The policy supports the redevelopment of various buildings and their associated backland in Victoria Parade. This was previously proposed in policy CA5.4, which was assessed by the SA as having the potential for a positive effect by contributing to the attractiveness of a key waterfront site that is currently underutilised. Policy TH7 contains a greater range of detailed criteria for new developments to accord with, which includes the requirement that new development should protect and enhance the identity special historic interest and character of Victoria Parade. The policy supports the best use of available land but also ensures development will not have an adverse effect.

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7.15 Policy TH8: The Terrace Car Park

The policy supports the redevelopment of the Terrace Car Park with a mix of residential and office use, including the provision of new car parking. This was previously proposed in policy CA5.1, the main difference now being that policy TH8 does not support the provision of leisure uses and contains additional criteria for potential new developments. The provision of a mix use development will have positive effects on the economy through an increase in employment opportunities and reduced reliance on seasonal work. The accompanying text refers to 'start up' business units but does not specify a use class. Low cost workshop units can be visually intrusive. Providing car parking near the Town Centre is also beneficial for local businesses and facilities as they rely on being accessible to the local population and tourists and therefore parking provision is necessary and supports economic and elements of community objectives bringing positive benefits.

Specifically, long term reliance on car transportation is inherently unsustainable and policies should aim to reduce the preference for car travel by making alternatives (public transport) more accessible and attractive. In addition, policies can encourage more sustainable car use in the short and medium term, e.g. by providing preferential access parking for low emission vehicles, car share arrangements etc.

7.16 Policy TH9: Former Royal Garage site, Torwood Street

The policy supports the provision of a mixed use development on the Former Royal Garage site. This was previously proposed in policy CA3.2, the main difference now being that policy TH9 supports the provision of residential uses which improves the policy's performance against housing objectives. It also contains additional detailed criteria for potential new developments, relating to, and recognising the characteristics of the site. The policy has the potential to have positive impacts on the local economy by increasing economic and employment opportunities.

7.17 Policy TH10: Abbey Crescent (including Palm Court Hotel)

The policy supports the redevelopment of Abbey Crescent with a mix of uses. This was previously proposed in policy CA2.6, the main difference now being that policy TH10 does not support the provision of a casino, which was previously appraised as having the potential to exacerbate social problems, such as gambling addiction, crime and anti-social behaviour. The provision of a mixed use development on Abbey Crescent has the potential to enhance the attractiveness and vitality of the area, creating a more pleasant environment to live in and visit. It also has the potential to increase the diversity and reduce seasonality of employment in the area and regenerate the tourism industry in the Harbour, which will have long-term positive impacts.

7.18 Policy TH11: The Imperial Hotel

The policy essentially contains the same development as previously proposed in policy CA2.1, which involves the expansion and improvement of the facilities at the Imperial Hotel. As identified within the detailed SA carried out for Policy CA2.8, Policy TH11 has the potential to have positive impacts on the economy through the regeneration of the tourism industry. This could lead to positive secondary impacts, attracting new high quality businesses to the area, thereby diversifying the economy. Conversely extending and improving the hotel's capacity and parking facilities could lead to an increase in vehicles, causing additional pressure on the local road network with subsequent negative effects on air quality and climate change.

7.19 Policy TH12: Beacon Cove

The policy seeks to protect Beacon Cove as a leisure/ tourist facility, while also maintaining and enhancing the area to reduce the incidences of anti-social behaviour. Policy CA2.2 provided much more detail with regard to the provision of a mixed use development at Beacon Cove. Policy TH12 does not specifically identify a level of development, nor is it as supportive for the provision of new development within the cove. Therefore the positive impacts previously identified by the SA in relation to the provision of late-night 'passive' surveillance brought about through mixed use development will not be as pertinent. However, reducing the level of proposed development will have positive impacts on biodiversity, as Beacon Cove is a sensitive site in environmental terms.

7.20 Policy TH13: Cary Green and Strand public realm improvements

The policy seeks to improve the public realm of Cary Green and Strand to act as multifunctional areas throughout the year. Public realm improvements to Cary Green were previously proposed in policy CA1.2 and have the potential to improve the aesthetics of the area. This could have a minor positive effect on health and the economy.

7.21 Policy TH14: The Inner Harbour

The policy supports the introduction of additional pontoons in the InnerHarbour in an attempt to enhance the range of boating facilities and increase the vibrancy of the area. The provision of additional leisure uses in the InnerHarbour was previously contained within policy CA1.4. The detailed SA identified that there is the potential for minor positive impacts through the additional leisure uses that could aid in the regeneration of the tourist economy. In principle, an increase of leisure activity in this area would have a positive effect on the tourism industry and therefore the economy.

7.22 Summary: How the SA recommendations have been incorporated:

As discussed in detail in the above section, Torbay Council has considered the results of the Preferred Options Sustainability Appraisal and made amendments to incorporate the recommendations into the current policies, strengthening the sustainability of the document as follows:

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- The Plan has been amended to ensure the majority of the high level plan objectives embody the full range of sustainability issues and problems. This includes meeting Torbay's housing need. The importance of community buy-in and usage of facilities has now been enshrined in the THAAP Vision.
- Sustainable development and reduced consumption of resources has been given a central role through the inclusion of an overarching policy TH1. The policy requires developers to complete a Sustainability Checklist to ensure individual developments have a strong sustainability focus.
- The Plan positively encourages mixed-use development, with Policy THS requiring all new development to contribute to a balanced mixture of uses. The document recognises that 'licensed establishments and nightclubs have come to dominate at the expense of all uses' and are likely to be contrary to the overall objective of creating a family destination.
- In response to concerns raised in the SA of Preferred Options and by Consultees, greater attention has been given to flood risk management. This has involved further consideration of Torbay's Strategic Flood Risk Assessment and the preparation of a separate strategic policy on flood risk. This includes a requirement for all developers to prepare a Flood Risk Assessment showing how the risk of all forms of flooding have been minimised over the development's lifetime, taking the impact of future climate change into account. The text now includes reference to the value of Green roofs and rainwater harvesting/greywater recycling .
- The approach to public transport, walking and cycling has been strengthened significantly, including a reference in Policy TH3 for the need for a new cycle route into the Harbour and better cycle storage. Following advice from the Preferred Options Sustainability Appraisal the policy requires all development to contribute towards providing improved opportunities for access and sustainable modes of transport. A wider package of sustainable transport measures is now included in policy TH3. The recommendations relating to car parking will be given further consideration on completion of a "Parking and Transportation Strategy". Future policy wording will need to strike a balance between demand management measures and ensure a good level of access for visitors to the Bay and the elderly and disabled for whom walking and cycling may not be viable options as well as the needs of the working harbour.
- The plan has a stronger focus on the natural environment, including specific policy wording in Policy THS on the need to conserve the natural environment and avoid harmful impacts on TorBay. The plan also considers the need to minimise adverse effects on the seagrass beds in TorBay.

7.23 Secondary, cumulative, synergistic impacts

The SEA Directive requires that consideration is given to the secondary, cumulative and synergistic effects of the plan. It is one of the advantages of carrying out a strategic assessment that the combined effects of different measures can be more effectively identified. The definition of each of these terms is outlined below (as indicated in the DCLG SEA Guidance (2005)):

Secondary/ indirect effects:

There are a number of effects which are not a direct result of the plan but occur away from the original effect or as a result of a complex pathway.

Cumulative effects:

These arise where several developments each have an insignificant effect but together have a significant effect.

Synergistic effects:

The effects interact to produce a total effect greater than the sum of the individual effects. Synergistic effects often happen as habitats, resources or human communities get close to capacity.

The above three effects are often categorised as 'cumulative effects'. In terms of the Torquay Harbour AAP, a number of cumulative effects were identified throughout the appraisal of options and preferred options. These have been identified through the matrices appraisal, GIS mapping and expert opinion. The extent to which these cumulative effects will be felt under each option is considered in further detail in the main appraisal matrix. Cumulative effects relating to the Area Action Plan are identified below. The receptors are indicated in italics.

Climate Change mitigation and adaptation:

When undertaking the Sustainability Appraisal, both the need to mitigate climate change (through reducing greenhouse gas emissions), and the need to adapt to the predicted effects of climate change (increased storm surges) have been considered.

Climate Change impacts are cumulative effects resulting from increased development and movement (therefore increased energy usage and travel causing greenhouse emissions). Whilst the LDF Core Strategy will set the overall level of development for the District, The Torquay Harbour AAP has an important role to play in assisting to create sustainable places that are less dependent on car travel.

Without information on detailed greenhouse gas emissions for the plan area, it is difficult to predict impacts with any degree of certainty. It is likely that an increase in emissions would occur from increased development (and the energy associated with new development), however this will be offset in some way by the requirements set out in policy TH1 (sustainable construction and design). The SA of the THAAP in 2007 recommended a strong overarching policy on sustainable construction and design that would assist in mitigating climate change impacts. The inclusion of Policy TH1 in the THAAP Draft Consultation Document (Regulation 25) shows that this recommendation has clearly been addressed.

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The plan seeks to reduce car travel in the area through enhancing conditions for walking and public transport, however the increased development proposed in the Regional Spatial Strategy for Torbay means that the town centre is likely to see an overall increase in travel and therefore greenhouse gas emissions. This is an important issue that will need to be addressed further in the Core Strategy and future transport plans.

In terms of adaptation, the effects of climate change on the District are predicted to be increasingly felt through impacts on water resources, rising sea levels, increased flooding events including storm surges, and impacts on biodiversity. Whilst it is difficult to predict the extent of impacts on the District and the harbour itself, measures should be taken to build the resilience of the harbour area to predicted effects, and where appropriate, recommendations are made in the Sustainability Appraisal. These include reducing water consumption in new development, restricting some forms of development and flood-proofing new development. There are further opportunities that could be further explored in this and other Council strategies, such as ensuring all new development has high levels of thermal comfort (reducing future need for air-conditioning and heating in extreme weather events) and landscaping strategies that enhance biodiversity and minimise water consumption.

Receptors: Global environment and population.

Water Quality:

Changes in water quality as a result of harbour activities can have broader impacts on the composition and health of the wider Sensitive Marine Area designated by Natural England. This area contains and has important links to the underwater Local Nature Reserve and SSSI of Saltern Cove, Special Areas of Conservation, coastal SSSIs and several coastal County Wildlife sites. It is difficult to predict the overall effect of the plan on water quality, however several recommendations have been made throughout the appraisals to reduce littering and pollution, and all construction and new development will be bound by development control conditions and pollution control regulations. Increased water-based recreation may also have an impact on the marine environment; however the Area Action plan in itself is not proposing increased water activities. There may, however be an overall increase in visitors to the harbour as a result of implementing the plan, and the monitoring plan should include consideration of wider plans and strategies (in particular the Maritime Strategy) that in-combination, have the potential to impact the marine environment.

Water quality also impacts upon the tourism industry in connection with the need to maintain high bathing standards. This is especially important for Torbay which has a high dependency on beaches in order to retain the 'bucket and spade' element of the tourism industry. Again, monitoring is recommended.

Receptors: Marine biodiversity, tourists, those working in the tourism industry

Landscape/ Townscape:

The visual impact of development is an important consideration in Torbay's urban environment particularly in the harbour area which is a Conservation Area and has a very particular Riviera style. Damage to, or loss of the large white Victorian villas surrounding the harbour would have a detrimental impact on Torbay's signature for tourism.

The AAP has the potential to impact significantly on the overall character of the area, through incremental development of sites across the harbour area. The SA recommended this issue be given further attention through better defining this character and insisting upon high quality, sympathetic development that is in keeping with the fabric and architectural character. This has now been reflected in the current DPD, however ongoing monitoring will be required.

Receptors: Tourism industry.

Flooding:

Incremental development can have, and is having, a significant impact on surface water flooding in Torbay as a result of a gradual increase in the amount of hard surfaces being created. The harbour in particular is impacted upon by development upstream in catchments where there is insufficient capacity to take the increase in runoff caused by increasing numbers of hard surfaces. Sewer flooding is a particular issue identified for the Harbour area. Whilst the incorporation of sustainable drainage is important within the harbour itself it is also important to flag up the impact of flooding caused to the harbour by area outside of the scope of this plan.

A further issue is the consideration of increased frequency of tidal flood events due to storm surges associated with climate change. The stability of sea-wall defences such as, Princess Pier and Haldon Pier, are of vital importance and a funding programme is currently in place to repair these structures.

Haldon Pier and Princess Pier act as flood defences against tidal flooding but have serious structural problems. There is now a six year funding programme to repair these structures (with works estimated to be completed by 2014). Following the completion of these repair works, their life expectancy will be in the region of 50 years. Over the long-term the piers are likely to be vulnerable to an increase in severe storm events and rising sea levels due to climate change and may need to be enhanced to mitigate the risk of flooding in the future.

Receptors: Harbour business and residents.

Transport patterns:

The provision of sustainable transport infrastructure will have a significant impact on the local transport patterns for a significant number of years in the area. Increased construction will also result in additional traffic in the area. The Torquay Harbour Area Action Plan recognises the importance of sustainable transport, but this needs to be coordinated with wider plans and policies.

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The SA of the Preferred Options policies in 2007 recommended that the document should have a much stronger focus on encouraging cycling, including provision of facilities such as bike-racks on the public realm. Draft Consultation Document (Regulation 25) policy TH3 has incorporated recommendations by ensuring that new development is required to contribute to the provision of a new dedicated cycle route to the Harbour.

Receptors: Local (access to free transport in the future (cycling, walking, buses for pensioners)), Worldwide (due to global nature of increase carbon emissions)

Affordable housing:

Affordability is a significant issue in Torbay. A heavy reliance is placed on planning contributions for the provision of affordable housing units to help address the need for housing. The AAP will have a positive effect through increasing the provision of affordable housing in the Tormohun ward; however, as noted in the appraisal matrices, many of the sites are unlikely to trigger the affordable housing requirement. A further issue relates to housing affordability; there is a likelihood that improvements to the attractiveness and liveability of the Harbour area will contribute to increased housing process in the area which may exacerbate affordability problems.

Receptors: Low income earners.

Economy:

As the Harbour is a significant focal point in Torbay, how it develops has a key role in influencing the economy locally both within the harbour and throughout wider Torbay. The type of economy promoted here will influence, to a certain extent, income levels with a flow-on effect to access to housing, ability to afford a comfortable standard of living, access to cultural and recreational needs etc. This is a fundamental consideration given the extremely low income levels in Torbay with its associated social problems.

It is predicted that the emerging AAP is likely to have a long-term positive and synergistic effect on the economy of the whole district, through encouraging the economic regeneration of this key area.

Receptor: Social groups who may be employed by or feel the impacts of the economic activity in the harbour, the wider District of Torbay.

Health and wellbeing:

Torquay harbour falls within the ward of Tormohun, which falls within the top 10 percent of wards in the UK for a number of different types of deprivation, including deprivation of the living environment, covering poor air pollution, high levels of road accidents and poor condition of housing. The AAP is considered to have a positive overall influence on health and wellbeing, creating safer conditions for pedestrians, increasing the quality of open space and reducing the isolating and dominating influence of the A379 road. It is also likely to have a positive effect on reducing crime and anti-social behaviour.

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However, care will need to be taken to reduce land use conflicts arising from mixed use development, ensuring that existing and new residents are not subject to increased noise pollution (ensuring new development is built to a high standard of noise attenuation).

Receptors: Local residents, visitors.

Waste Management:

Increased development in the area will involve the generation of significant levels of construction waste and also operational waste. This will need to be considered in further iterations of Waste Management Strategies and the Local Waste and Minerals Development Framework.

Receptors: Waste management facilities, environment.

8 Monitoring

Monitoring is an important part of the SA process. This enables any unforeseen impacts of the plan to be identified at an early stage providing opportunities for remedial action. Monitoring is also an important part of the learning process, enabling testing of the predictions made within this report to identify how accurate they were. This feedback enables greater understanding of the interactions between social, economic and environmental factors and will assist in making more accurate predictions in future SA work. In particular monitoring will help to address the following questions:

- Were the assessment's predictions of sustainability effects accurate?
- Is the plan contributing to the achievement of desired SA objectives and targets?
- Are mitigation measures performing as well as expected?
- Are there any adverse effects? Are these within acceptable limits, or is remedial action desirable?

A set of broad overarching indicators have been identified to test all elements of the LDF for sustainability. A selection of 20 indicators of greatest relevance to the DPD has been selected. (A full list of all SA Indicators is included in Appendix D and those most relevant to the Torquay Harbour DPD are listed in Section 4.3). Further consideration has been given to issues arising from the appraisal of the draft consultation document (Regulation 25) and suggested further indicators are outlined in section 4.3. These will be further developed for the Sustainability Appraisal submission document.

It is anticipated that the indicators will be documented within the Annual Monitoring Report published annually by the Strategic Planning Group.

The Sustainability Appraisal has found that the emerging Torquay Harbour Area Action Plan will generally have a positive effect on sustainability in the Torbay District.

The Harbour Area has suffered a decline in visitor numbers and in physical quality over the years, and the AAP provides a catalyst and a framework for regenerating this key area. The appraisal has found that the plan will have particularly strong benefits for the economy. However, its holistic approach to the further development of the area will ensure wide-reaching benefits for society and the environment also. The key identified positive effects include:

- Improved community safety, including a reduction in crime and enhanced perceptions of safety
- Increased vitality and sense of community pride
- Enhanced pedestrian environment and increased opportunities for walking
- Enhanced landscaped setting and improved public spaces
- Enhanced employment opportunities, including an increase in permanent, non-seasonal employment (e.g. new cultural facilities)
- Diversification of the economy and retail opportunities
- Enhanced cultural activities - with benefits for the local community and visitors
- Enhanced quality and diversity of the local tourism industry
- Reduced congestion and air pollution
- Enhanced accessibility and legibility

Whilst the majority of effects identified were positive, a number of negative effects and uncertainties were identified. These include:

- Cumulative effect on local townscapes and Riviera architectural style through incremental development
- Potential for increased economic and social risk from placing new development in area at risk of tidal inundation and sewer flooding
- Regeneration of the area may lead to an increase in house prices in the harbour and town centre
- There may be an impact on habitats and species, particularly at Beacon Cove and due to any increase in water-based recreation (uncertain impacts on sensitive marine areas)
- There may be land use conflicts and a likely increase in noise-affected properties through increasing residential accommodation in the plan area

Throughout the Sustainability Appraisal, recommendations have been made to mitigate against predicted negative effects. Some of these recommendations are outlined in section 7.2 and the majority of these have been incorporated into the current Draft Consultation Document, further improving the sustainability of the document.

10 Next Steps

The next stage in the development of the Torquay Harbour Area Action Plan DPD is to take on board the feedback from this consultation and update the SA Report accordingly, appraising any significant changes to the Draft Consultation Document (Regulation 25) DPD.

A full final Sustainability Appraisal will be submitted alongside the Submission DPD. A statement will be published upon adoption of the DPD to indicate how the sustainability appraisal process and consultation responses have influenced the development of the DPD. These documents will be made available in hard copy in the locations listed on the inside cover of the report and in electronic format on the LDF website (<http://www.torbay.gov.uk/ldf> - click on sustainability appraisal).

11 List of Appendices

A number of Appendices are available which provide the background detail for this report. The following appendices are available on the Torbay Council LDF website (www.torbay.gov.uk/ldf - click on sustainability appraisal) or by request from the Strategic Planning Group via the contact detail on the inside of the front cover.

Appendix A	Compliance with the SEA Directive. Lists SEA Directive requirements and shows where they have been met within the SA report
Appendix B	List of Consultees for the SA Scoping Report
Appendix C	Summary of consultation responses
Appendix D	SA Framework. Details the 37 detailed objectives which sit under the 6 High Level objectives. Also lists relevant SA indicators.
Appendix E	Detailed SA of Saved Policies
Appendix F	Detailed SA of Preferred Options 2007
Appendix G	Detailed SA of Draft Consultation Document (Regulation 25) 2009

12 Glossary

ACRONYM	FULL TITLE	DEFINITION
AONB	Area of Outstanding Natural Beauty	Areas designated by the Countryside Agency and confirmed by the Secretary of State for the Environment to conserve the natural beauty of the area.
AMR	Annual Monitoring Report	Part of the Local Development Framework. Will assess the implementation of the Local Development Scheme and the extent to which the policies in local development documents are being successfully implemented.
CWS	County Wildlife Sites	Represent the best examples of semi-natural habitats within the County and many are likely to support rare and local species and communities.
DPD	Development Plan Document	Part of the 'portfolio' of documents which make up the Local Development Framework. These form the development plan for the local authority and include core strategy, site specific allocations of land and area Action Plans. Other development plan documents, including generic development control policies, can be produced.
DCLG	Department of Communities and Local Government	This is a Central Government department charged with the responsibility for planning.
LDF	Local Development Framework	New system for planning, introduced by the Planning and Compulsory Purchase Act 2004, which replaces existing Local Plans currently prepared under the Town and Country Planning Act 1990 (as amended).
LDS	Local Development Scheme	To implement the new development plan system (the LDF), the Council must prepare and monitor a three year management plan, known as the Local Development Scheme (LDS).
LDD	Local Development Document	The LDF consists of a 'portfolio' of Local Development Documents which will provide and deliver the spatial planning strategy. LDDs are likely to be a mix of Development Plan Documents (DPDs) and Supplementary Planning Documents (SPDs), together with a Statement of Community Involvement (SCI) and Annual Monitoring Report (AMR).
LWS	Local Wildlife Sites	Sites identified by Torbay Council as being of wildlife importance but that do not meet the strict

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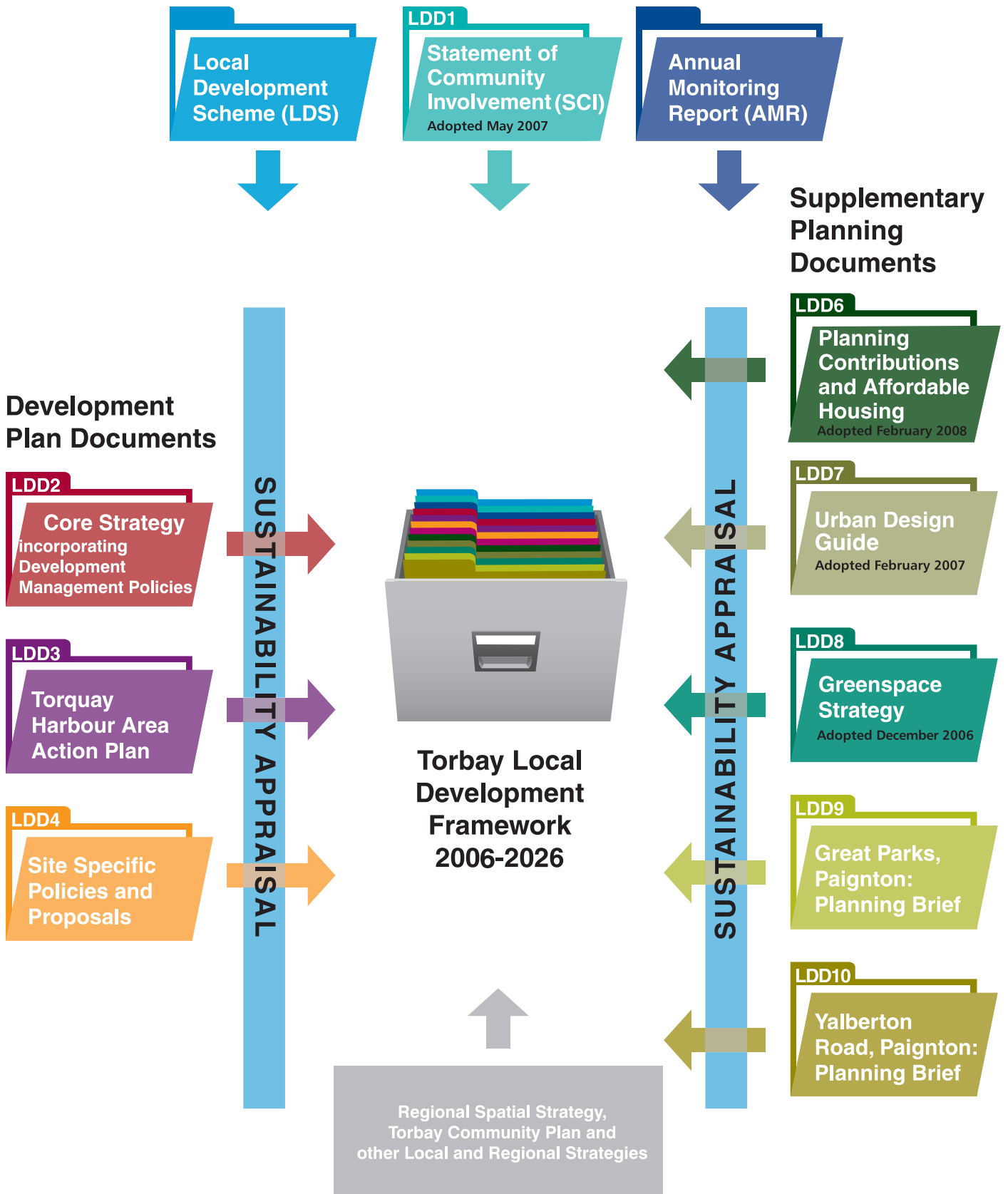
ACRONYM	FULL TITLE	DEFINITION
		scientific criteria necessary for selection of CWSs but are still of great value for wildlife within the context of Torbay. These sites may particularly have important social, recreational, landscape or aesthetic value.
PCT	Primary Care Trust	PCTs are part of the NHS responsible for the planning and securing of health services and improving the health of the local population. PCTs ensure the provision of health services including GPs, hospitals, dentists, mental health care, Walk-In Centres, NHS Direct, patient transport (including accident and emergency), population screening, pharmacies and opticians. In addition, they are responsible for integrating health and social care.
PDL	Previously-Developed Land	'Previously-developed land is that which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure.' PPS3 Housing
PPG	Planning Policy Guidance Note	Central Government publication under the old planning system outlining good practice on a particular planning topic.
PPP	Plans, Policies and Programmes	A review of plans, policies and programmes relevant to the plan being assessed comprises an essential element of the sustainability appraisal process
PPS	Planning Policy Statement	Previously known as Planning Policy Guidance Notes these are issued by the Office of the Deputy Prime Minister and set out the Government's land use planning policies for England under the new planning system. They must be taken into account in preparing the development plan. They are a material consideration in determining planning applications, and generally supersede development plan policies if they are of a later date.
RPG	Regional Planning Guidance	Guidance which sets out broad patterns of development at a regional level. RPG10 (2001) deals with the South West.
RSS	Regional Spatial Strategy	RSSs will replace RPGs and Structure Plans as a result of the Introduction of the Planning and

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ACRONYM	FULL TITLE	DEFINITION
		Compulsory Purchase Act 2004. RSSs will form part of statutory development plan system.
S106	Section 106 Agreement	Legal agreement between the Council and a developer relating to planning obligations.
SA	Sustainability Appraisal	Assessment that considers social, environmental and economic effects of a plan
SAC	Special Areas of Conservation	Internationally important areas designated under the EC Directive on the Conservation of Natural Habitats and of Wild Flora and Fauna.
cSAC	Candidate Special Area of Conservation	A candidate area for the SAC (see above).
SEA	Strategic Environmental Assessment	Derived from the SEA Directive 2001/42/EC which took effect in July 2004. SEA involves the systematic identification and evaluation of the impacts of a strategic action (e.g. a plan or programme) on the environment. Applies to documents such as the Local Development Framework.
SOA	Super Output Area	This is the basis for the geographical comparison of statistical data across England. It roughly coincides with wards but allows a finer grain of analysis at the neighbourhood level.
SPD	Supplementary Planning Document	Part of the 'portfolio' of documents which make up the Local Development Framework (above) under the new planning system. They provide supplementary information in respect of the policies in the Development Plan Documents.
SSSI	Sites of Special Scientific Interest	Nationally important areas of land, designated under Section 28 of the Wildlife and Countryside Act 1981 by English Nature as being of a special interest by reasons of their flora, fauna, geological or physiogeographical features.
SDS	Sustainable Drainage Systems	Sustainable Drainage Systems reduce and slow down the run-off of rainfall from impermeable surfaces - such as roads, pavements, car parks and roofs - in towns and cities. This is achieved through encouraging infiltration of rainfall into the ground close to where it falls, and by retaining runoff in ponds, on roofs and in gardens.

Sources: <http://www.rtpi.org.uk>, <http://www.defra.gov.uk>, <http://www.communities.gov.uk/>,
Adopted Torbay Local Plan 1995-2011(2004)

The structure of the Local Development Framework



Note: The status of certain Local Development Documents identified in earlier versions of the Torbay Local Development Scheme has changed as follows: LDD5 Generic Development Control Policies - now included in LDD2 Core Strategy. LDD10 Yalberton Road Paignton: Planning Brief - now deferred pending progression of LDD2.