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7 August 2020

PLANNING COMMITTEE

A meeting of the **Planning Committee** will held on **Tuesday, 18th August, 2020** in the Virtual Meeting - Virtual Meeting at **10.00 am**

PHIL SHEARS
Managing Director

Membership: Councillors Haines (Chairman), Goodman-Bradbury (Vice-Chairman), Bradford, Bullivant, Clarence, Colclough, H Cox, Hayes, J Hook, Jeffery, Keeling, Jenks, Kerswell, MacGregor, Nuttall, Nutley, Patch, Parker, J Petherick, Phipps and Wrigley

Substitutes: Councillors Dewhirst, Jeffries, Russell, Austen, Daws and Hocking

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Public Access Statement

Information for the Public

Health and safety during the meeting. In the event the fire alarm sounds please evacuate the building calmly but quickly using the nearest exit available, do not stop to collect personal or other belongings and do not use the lift. Fire Wardens will assist you to safety and 'safety in case of fire instructions' are prominently displayed in the Council buildings and should be followed. Should an escape route be compromised the nearest alternative escape route should be used. Proceed quickly to the assembly point in the very far overflow car park. Please report to the person taking the roll-call at the assembly point if you have evacuated without being accounted for by a member of staff.

There is an opportunity for members of the public to speak on planning applications at this meeting. Full details are available online at www.teignbridge.gov.uk/planningcommittee.

Please email comsec@teignbridge.gov.uk or phone 01626 215112 to request to speak by **12 Noon** two working days before the meeting.

This agenda is available online at www.teignbridge.gov.uk/agendas five working days prior to the meeting. If you would like to receive an e-mail which contains a link to the website for all forthcoming meetings, please e-mail comsec@teignbridge.gov.uk

General information about Planning Committee, delegated decisions, dates of future committees, public participation in committees as well as links to agendas and minutes are available at www.teignbridge.gov.uk/planningcommittee

Any representations or information received after the preparation of the reports and by noon on the Friday before the planning committee will be included in the late updates sheet.

All documents relating to planning applications can be viewed online at www.teignbridge.gov.uk/planningonline. In the case of sensitive applications representations are not placed on the website All representations are read by the case officer and a summary of the planning matters raised is placed online instead.

AGENDA

PART I **(Open to the Public)**

6. Planning applications for consideration - to consider applications for planning permission as set out below. (Pages 3 - 14)

Planning Committee – Tuesday 18 August 2020

Late representations/updates

Item No.	Description
1	<p>DAWLISH - 20/00933/NPA - Coastguards Breakwater To Colonnades Breakwater And Dawlish Railway Station, Station Road - Application for prior approval of siting and appearance under Part 18 Class A of the Town and Country Planning (General Permitted Development Order) 2015 of proposed Coastal Resilience Works to Railway Infrastructure to include a new taller sea wall between two existing breakwaters incorporating a wider higher public promenade with a link structure to join Marine Parade and new ramped pedestrian access to beach adjacent to and adjoining the railway station. Other works to include the demolition of the coastguards building, works to the station including reconstructed downside station platform, new accessible passenger footbridge and refurbishment of passenger waiting room</p> <p>The following information is outstanding on the officer report and has now been received;</p> <p>Design of the accessible footbridge</p> <p>NR have provided further information about options available for colours and finishes for the lift bridge. They have also confirmed that they are agreeable to having further discussions about the exact colour and finish. In order to agree the external detailing it would be expedient for sample panels to be provided which can be reviewed in situ. It is recommended that this be addressed by means of a condition.</p> <p>Clarification on the extent of refurbishment to the downside platform building</p> <p>NR have confirmed that they intend to bring three rooms in the downside station building back into use as set out in the Heritage Statement. This is the level of restoration work that should be provided to deliver a clear heritage gain, and would be appropriate in this case. It is a positive change to NR's previous position which was that at least one waiting room would be brought back into use.</p> <p>The method of joining the new sea wall to the station building and considerations of setting the sea wall back from the station</p> <p>Historic England requested further information about the isolation joint at the top of the interface between the new sea wall and the station building and as part of this asked if investigation had been made of the footings to the station. NR advise that there is little information available on the station footings. To expose the station building footings would require removal of</p>

the promenade and further excavation. The principle of the design of the proposed development is to provide a structure which would be structurally isolated from the existing station and its footings.

A gap would be formed by the proposed geocellular strip that would act as a ventilation gap and drainage path between the existing station building and proposed promenade. A larger or more set back gap was considered but ruled out as it would have resulted in an increased maintenance commitment and further projection of the development onto the beach.

The Council's Conservation Officer has advised that he is satisfied that the detail submitted is sufficient to demonstrate that there will be sufficient ventilation of the listed station building after construction of the new sea wall.

Competent Authority for the purposes of the Conservation of Habitats and Species Regulations 2017 (as amended)

Advice has been received from the Council's solicitor that Network Rail are a Competent Authority for the purposes of the relevant Regulations and can be considered as such for the matter at hand.

The officer recommendation is updated;

UPDATED RECOMMENDATION

Subject to receipt of satisfactory information (to be determined by the Business Manager –Strategic Place in consultation with the Chair and Vice-Chair of Planning Committee) relating to:

1. The incorporation of elements of relief into the sea wall

PRIOR APPROVAL BE GRANTED subject to but not limited to conditions addressing the following matters, the precise wording of the conditions to be determined under delegated authority by the Business Manager – Strategic Place:

Conditions 1 to 25 as set out in the main agenda.

Condition 5 (CEMP) to include submission of an archaeological geophysical survey of the station carpark to assess the potential for the buried remains of the early atmospheric railway pumping station and its ancillary structures. To include a report on the interpretation of the ground-survey and the standing structures to inform (a) the level of protection, required; and (b) the logistical disposition of any blocks, stores, stacks, and offices et al within the proposed compound.

Impact on residential amenity

In the officer report para. 1.202 refers to impact of the development on the amenity of the occupiers of surrounding properties. There is an omission in that it does not refer to the effect of the development on the occupiers of Brunel Court (opposite the station). The new accessible lift bridge would be sited approx. 16 metres from these flats and would be located opposite the northern end of the building, although it would be just offset from the building. It would be visible from the south facing flats. Given the size of the lift tower which would measure 3.5m by 3.5m and that it would be angled in relation to Brunel Court, it is considered that it would not be overbearing in relation to the property or result in an undue loss of light. Therefore it is concluded that the proposal would not result in a harmful impact on the residential amenity of occupiers of these flats.

Additional representations received;

Historic England

The new supporting information presents additional justification as well as amendments and further details relating to aspect of the scheme where we have previously raised concerns.

Sub-frontage A: The impact of the proposed works to Dawlish Water basin
Our previous comments focused on the interaction and specifically the views through from the town to the sea.

The revised footprint design is more lightweight reducing the visual impact and allowing views through to the sea.

No further steps have been taken to break up the parapet along the section of the defence around the water basin, which will restrict views under the viaduct to the sea.

We wonder whether an alternative solution could follow other examples of sea defences and flooding prevention schemes in instances where access or an open character needs to be maintained. In those instances, systems of gates or timber infill complete the defence but retain a sense of openness when not in use. We wonder whether this approach could be utilised around the basin. The section of parapet could become planters which would link through to the character of the pleasure grounds creating a sense of public space. The local authority should explore these options with the applicant to try and identify a more permeable solution.

Sub-frontage B: The impact of the proposed works to the South west of station;

We would continue to encourage greater consideration be given to the use of the columns. In our view, their new use should reflect the former structural role as a group. Ideally we would like to see them incorporated into the section of the wall, maybe as breaks within the panels. Alternatively, consideration could be given to them forming a piece of art as part of the heritage trail, demonstrating their former use within the site. We appreciate that this suggestions may depend on their condition and structural integrity, which can only be determined once dismantled. The council may need to consider applying an appropriate condition to secure this section of works.

Sub-frontage C: The impact of the proposed works to the Station Station complex

Part of the heritage benefits offered by the current application was the prospect of bringing the Downside Waiting Room building back into use. The additional note provided, suggests that only one room will actually be brought back into use as part of this programme of works. This will limit the heritage gains offered by the scheme and we would encourage the council to secure a greater package of works for the site, which will need to be considered as part of their deliberation of the wider planning balance.

The other main aspect of discussion was the new bridge. The additional information on the choice of materials has looked to set out the justification for the approach. This appears to be largely based on the movement of sand resulting in the texture and colour. However, the context in which the bridge will be experienced is not the beach but against the cliffs, which are characterised by red earth and tumbling vegetation. In order for the design of the bridge to be less conspicuous, we consider that it needs to better respond to its surrounding context. This could be through a more recessive colour, and greater consideration should be given to its texture at the top of the towers. Furthermore, we wonder whether there is an opportunity to incorporate a green wall or areas of sedum to soften the overall design. Advice would need to be sought as to whether this could survive in maritime environment. The council should seek further alterations to the design, through consultation with the applicant and their conservation officer.

The setting of the station

With the new wall now looking to abut the historic Downside Waiting Room, we requested further details regarding the interface between the old and new structure. This was to ensure that the proposed works will enable the historic building to continue to breath and facilitate the required drying out process, which is an identified benefit of the current proposals

A detail has now been provided to show the junction between the existing station building and the new sea wall. This appears to be relatively high level and we consider that further information is required order to fully understand the potential impact.

However, at this stage we have a number of issues arising in terms of the proposed design. These include -

The isolation joint at the top of the interface is going to be a particularly vulnerable point within the structure. Careful consideration will be required to ensure that is robust but does not adversely affect the historic fabric. Clarification of the prefer solution should be provided.

The drawing does not provide details of the station's construction and in particular its footings. This information needs to be understood at an early stage in order to inform the design and to be confident that the proposed interface will work effectively. Further details should be provided regarding the construction of the foundations and the walls, as well as whether any damp proof course exists.

Notwithstanding the requested information set out above, we do have reservations regarding the uncompromising nature of the proposed solutions. We appreciate that the previous scheme setting the new wall back from the building to create a ventilation gap provided management considerations, but it has not been shown that these were not

insurmountable through suitable maintenance, while providing a better environment for the listed wall structure.
We would encourage the council to seek further consideration to the approach of the interfacing to ensure that the benefits through the drying out process can be delivered.

Seawall

We raised the need for careful consideration be given to the treatment of the new seawall construction around the key historic areas, including the station and basin.

Three options have been provided within *Note of Contrasting panels to the front of the Downside Building*. In our view, option 1 allows for a contextual reference the station. A clearly modern interpretation, the design indicates the former role of the station as part of the defence.

Historic England's Position

We consider and have identified above, that there are still opportunities whereby the scheme could minimise its impact on the historic environment. This would allow for the development to better express the affected assets' significance through the resulting design (NPPF, Para 200).

Although the application is part of a wider scheme, the council will need to ensure that the proposed works are rigorously justified (NPPF, Para 194). Consideration should be given to alternative approaches that will minimise the potential impact of the scheme on a range of environmental factors including the historic environment (NPPF, Para 190). The historic environment is a key consideration in the assessment of the alternative options, ensuring that great weight is given to the conservation of the heritage assets (Para 193, NPPF).

Recommendation

Historic England has concerns regarding the applications on heritage grounds.

Although the amendments have reduced the impact, the scheme will still result in harm to the character and appearance of the conservation area and the significance of the listed station.

The council in discussion with their own conservation specialists and the applicants, should seek to identify opportunities to address the concerns expressed above. This should include any amendments to minimise the identified impact, further clarification on specific elements or consideration as to how the benefits could be secured through the planning process.

Where loss of significance is identified, the council will need to ensure that robust justification has been provided, to allow them to rigorously assess the potential impact.

Officer comment –

View under the Colonnades Bridge- the new wall at the seaward end of the basin would be the same height at the existing wall as you walk under the Colonnades. In views from under the Colonnades Bridge this would obscure the lower section of sea that is currently visible. From Jubilee Bridge there would be a loss of the lower view of the sea under the bridge (approx. 20% reduction). There would however still be a clear sea view under the bridge. It should be noted that there would be a gap in the outer wall where Dawlish Water flows where there would be no visual restriction.

Use of timber gates at Dawlish Water Basin – the proposal suggested by HE relates to a system used for fluvial/river flooding and would be impractical in this location as the gates would need to be closed at each high tide.

Re-use of former gas standards- insertion of the gas standards into the new sea wall would not be feasible and would inevitably lead to their physical deterioration. Additionally it would impact on the wave protection properties of the sea wall. There is limited space within the site for an ‘art installation’. It is considered appropriate to address this by condition which will allow a condition survey to be completed prior to agreeing a scheme for their re-use.

Appearance of lift bridge – NR have provided examples of different colours and finishes that could be used on the bridge.

The use of green walls would be inappropriate in this location due to the exposed location. This would be exacerbated by NR’s requirement to survey all structures every 5 years which would require removal of planting.

Natural England

CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2017 (AS AMENDED)

Dawlish Warren Special Area of Conservation

Exe Estuary Special Protection Area

Exe Estuary Ramsar

Natural England notes that the Habitats Regulations Assessment (HRA) has not been produced by Teignbridge District Council, but by the applicant. We provide the advice below on the assumption that Teignbridge District Council intends to adopt your HRA to fulfil their duty as competent authority. In this instance, it would worthwhile for Teignbridge District Council to check who is the competent authority.

Your HRA concludes that the proposal can be screened out from further stages of assessment because significant effects are unlikely to occur, either alone or in combination. On the basis of the information provided, Natural England concurs with this view.

WILDLIFE AND COUNTRYSIDE ACT 1981 (AS AMENDED)

Dawlish Cliffs Site of Special Scientific Interest (SSSI)

The Technical Note (ARUP, 22 July 2020) confirms that a SSSI assent will be sought at a later date that will appropriately address our previous advice (dated 13 July 2020). On the understanding that the proposals do not include impacts to the SSSI, we are satisfied that the approach is reasonable.

Officer comment – advice has been received from the Council’s solicitor that Network Rail are a Competent Authority for the purposes of the

relevant Regulations (set out below) and can be considered as such for the matter at hand.

TDC Drainage Manager - I have no objections to the principals of the proposed drainage solution within the attached documents.

Given that there is a detailed design element still to be undertaken to these designs as discussed below, would we want to condition to pick up any changes in the design or whether this is sufficient for the prior approval application?

Officer comment – condition 13 requires submission of details of the drainage system.

Dawlish Town Council

Further comments received which are;

- Network Rail be requested to undertake an archaeological survey of the Dawlish Railway Station car park prior to any works commencing;
- Investigate the future / reuse / moving and reconstruction of the coastguard's boathouse as a heritage asset for the town;
- Dawlish Town Council endorses the response of the Planning Authority's Conservation Officer dated 13 July 2020 and urges Teignbridge District Council's Planning Committee to impose the mitigation steps outlined in the response as conditions of approval; and
- Dawlish Town Council endorses the comments made by Historic England dated 8 July 2020 ...and urges Teignbridge District Council's Planning Committee to require the applicant to address the concerns listed by providing mitigating measures to reduce the harm to the character and appearance of the conservation area and the significance of the listed station.

Officer comment- with regard to moving the coastguards boathouse it should be noted that the rear wall of the building is required to remain in situ as it supports the railway line. Part of the heritage value of the Boat House is derived from its historic grouping with the coastguards bridge and the coastguards cottages. By moving the building to an alternative location this historic association would be lost thereby devaluing the historic character of the building. NR propose to re-use some of the stone as benches in the area around the site of the Boat House which would retain part of the fabric of the building in its historic location. In addition a heritage board would be provided in the vicinity of the site to provide information about the former building, and the footprint of the building would be marked with stones from the building in the new promenade.

A request is made for an archaeological survey of the station car park. The Council's Conservation Officer has recommended that an archaeological geo-physical survey of the car park is carried out as part of the CEMP to

fully address the presence of archaeological remains and their protection. He advises that it should be a non-intrusive archaeological survey of the car park by geo-physical survey, be it: magnetometer (gradiometer); earth resistance (electrical); or ground-penetrating radar; or similar. Earth resistance would be preferred for its greater accuracy in the location of masonry remains, and is better for distinguishing archaeological features from geological or other natural features. NR have confirmed that they are agreeable to this. It is recommended that this is addressed by condition, which has been included in the updated recommendation above.

One additional representation in support, one additional objection have been received and a further representation from the Dawlish Local History Group

The representation in support raises the following point;

- Having walked on the new sea wall yesterday I was hugely impressed by the engineering and improved access. It would be folly not to continue the extension of this work together with the planned improvements to the railway station.

The objection raises the following points;

- The plans seem likely to have an adverse impact on the town and its holiday trade.
- The modernist designs are totally out of keeping with the traditional character of the town and the railway station.
- Equally appalling is the plan to replace the existing beautiful natural stone structures with ugly concrete ones.
- The new link bridge is not needed.
- The area around the stilling basin and the viaduct need to remain as it currently is.
- The new sea wall will take quite a large part of the beach.
- The boat house should be restored.
- The cheap and nasty solutions are simply not good enough.

Dawlish Local History Group raises the following points;

- There should be an on-site investigation into the purpose of the archway/tunnel
- There should be an on-site archaeological investigation of the station carpark
- The importance of the remains of the atmospheric system should be formally recognised for preservation
- The backwall of the pumping station needs to be adequately protected during the work on the sea wall and a means found to stop the ivy from causing further damage.

2

DAWLISH - 20/00922/LBC - Dawlish Railway Station , Station Road - Works to include reconstruction of existing timber downside station platform, new accessible passenger footbridge, alterations to existing platforms surface resulting in minor changes to door openings of downside station building, refurbishment of passenger waiting room and refurbishment and repairs to the fabric of the station building on seaward elevation all in association with Dawlish Sea Wall Stage 2 project

The following information is outstanding on the officer report and has now been received;

The external appearance of the accessible footbridge

NR have provided further information about options available for colours and finishes for the lift bridge. They have also confirmed that they are agreeable to having further discussions about the exact colour and finish. In order to agree the external detailing it would be expedient for sample panels to be provided which can be reviewed in situ. It is recommended that this be addressed by means of a condition.

Confirmation of the extent of restoration works to the downside platform building

NR have confirmed that they intend to bring three rooms in the downside station building back into use as set out in the Heritage Statement. This is the level of restoration work that should be provided to deliver a clear heritage gain, and would be appropriate in this case. It is a positive change to NR's previous position which was that at least one waiting room would be brought back into use.

The officer recommendation is updated;

UPDATED RECOMMENDATION

LISTED BUILDING CONSENT BE GRANTED subject to but not limited to conditions addressing the following matters, the precise wording of the conditions to be determined under delegated authority by the Business Manager – Strategic Place:

Conditions 1 to 6, 8 and 9 as per main agenda. Condition 7 to be deleted as it is not proposed to change the canopies at the station.

Site location plan

The site location plan in the officer report has been plotted inaccurately. The application site is outlined in red in the image below;



