

EXECUTIVE

Leader: Cllr Jeremy Christophers

DATE: 5 December 2017

REPORT OF: TONY WATSON, BUSINESS MANAGER ECONOMY AND ASSETS

SUBJECT: DAWLISH WARREN CAR PARKING

RECOMMENDATIONS

Executive is recommended to:

1. Note the recommendations from the Habitat Regulations Executive Committee (HREC), which are as shown in the recommendations at Appendix 1.
2. Consider a future report on the matter once the Business Manager for Economy and assets has appraised the practical and legal implications of implementing the HREC recommendations.

1. PURPOSE

- 1.1. To outline the recent HREC recommendation to amend parking arrangements at Dawlish Warren and key issues that will need to be considered before determining how to take the proposed changes forward.

2. BACKGROUND

- 2.1. In December 2015 Executive delegated authority to the South East Devon Habitat Regulations Executive Committee (HREC) to bring forward measures needed to mitigate the impacts associated with increased population on the Exe Estuary, Dawlish Warren and East Devon Pebblebed Heaths European Sites. Scrutiny of HREC decisions remains the domain of Teignbridge's Overview and Scrutiny Committee.
- 2.2. Without delivering habitat mitigation all proposed development within 10km of the European Sites, including approximately 4,000 new homes in Teignbridge, would be put at risk. This would pose a challenge to the overall need for new homes and Teignbridge's five year housing land supply, which could lead to unplanned new development sites coming forward in other parts of the district instead. Across the Greater Exeter area the figure is 30,000 homes.
- 2.3. The HREC is implementing the 2014 South East Devon European Site Mitigation Strategy on behalf of Teignbridge, Exeter and East Devon. The Strategy is available at the following web address:

<https://www.teignbridge.gov.uk/media/4049/south-east-devon-european-site-mitigation-strategy-9th-june-2014.pdf>

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- 2.4. The Mitigation Strategy identifies a suite of 49 measures, which need to be implemented in order to overcome the risk of significant effects on the European Sites as required by the European Habitats Directive; and the Conservation of Habitats and Species Regulations (the 'Habitat Regulations'), which apply in England and Wales. The Mitigation Strategy anticipates the concurrent implementation of several measures at any one time rather than project by project delivery.
- 2.5. Appendix 2 identifies the extent to which each Mitigation Strategy measure has been implemented to date.
- 2.6. Dawlish Countryside Park SANGS is one measure that has already been implemented. The Park's opening has been received with almost universal support and initial visitor numbers have been higher than anticipated.
- 2.7. Amongst other measures identified through the Strategy are amendments to the car parking regime at Dawlish Warren. It is on this basis that the HREC has proposed the following changes:
 - **Raising car parking charges in the winter** when protected bird species are present at Dawlish Warren and the Exe Estuary and the impacts of disturbance are most pronounced. The new charges would accord with summer rates.
 - **Charging for car parking on Sundays throughout the year**, encouraging some use of alternative walking and dog walking sites (like Dawlish Countryside Park) where car parking is cheaper or free.
 - **Closing the existing seaward car park gates in winter** to reduce the size of the car park and steer walkers and dog walkers away from some of the most sensitive areas of the Warren and Estuary European Sites.

3. BASIS OF THE HABITAT REGULATIONS EXECUTIVE COMMITTEE RECOMMENDATION

- 3.1. The HREC recommendation to Teignbridge was supported by the report at Appendix 1 and the substantial body of evidence relating to European Site disturbance and mitigation that's available at the following internet address.

<https://www.teignbridge.gov.uk/planning/biodiversity/exe-estuarydawlish-warren-habitat-mitigation/evidence-base/>

- 3.2. In response to the Habitat Regulations, the Teignbridge Local Plan requires that appropriate European Site mitigation is provided to accommodate its development proposals.
- 3.3. This report does not review in detail the full body of evidence that has caused the HREC to come to its recommendation but some of the most significant points are summarised below. It is worth noting that the recommendation is based on the same evidence that caused Teignbridge to allocate SANGS at Dawlish and South West Exeter and approve investments in both of those projects.

Summary of key points

- 3.4. The Exe Disturbance Study identifies that the majority of bird disturbance events and a large number of 'major flight events' (including by European protected birds)

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involved walkers and dog walkers, including walkers starting their visit at Dawlish Warren.

- 3.5. The 2010 Assessment of Recreational Impacts on Dawlish Warren SAC was specifically designed to focus on the Special Area of Conservation (SAC) habitat types at the Warren and concluded that these were inherently nutrient-poor and that eutrophication (excessive enrichment of nutrients) through dog faeces remained an issue. Plant species which are adversely sensitive to increased nutrients were found to be decreasing and more dominant species were likewise increasing for the same reason.
- 3.6. In their natural state, sand dune ecosystems are dynamic habitats which are continuously changing. Embryo dunes occur where sand on a beach accumulates around an obstruction and constitute the very beginnings of natural dune systems. Anticipating the since completed beach management scheme, the Assessment of Recreational Impacts concluded that,

“any increase in walkers and dog walkers using the beach will exacerbate the erosion impact on the embryo dunes. Small increases in visitor pressure are likely to have a disproportionate effect. Any increase in this habitat in the future through changes to coastal management would be impeded by an increase in recreational pressure.”
- 3.7. The Assessment also identified that winter visitors were most likely to visit on a daily basis, with dog walkers covering an average of 1.9km.
- 3.8. There are two car parks at Dawlish Warren which are owned and managed by Teignbridge. The map at Appendix 1 shows that the ‘inner’ or seaward car park (marked in blue) is closest to the National Nature Reserve (NNR). The ‘outer’ or landward car park (marked in yellow in the appendix) is on the other side of the London-Penzance railway line. These car parks currently provide space for 1055 vehicles.
- 3.9. Parking charges are lower in winter than in summer, free on Sundays from November 1st – Maundy Thursday (Easter) and free between 6pm and 9am, year-round. As a result, charges are lower or free at the time of year when Special Protection Area (SPA) designated bird species are present.
- 3.10. Of all the groups interviewed as part of the entire Exe Estuary Visitor Survey (2010), 60% had travelled by car. Therein, around 70% of the people interviewed at Dawlish Warren had travelled by car. Compared with weekday trips, visits to the European Sites at least doubled on weekends.
- 3.11. The Visitor Survey also found that 38 percent of the 1,138 person sample would spend less time on the Exe if parking charges increased. Whilst not the majority of respondents, a change in behaviour by that proportion of visitors would make a significant contribution towards addressing the impacts of the 27 percent increase in population within 10km of the European Sites between 2010 and 2026 that the Mitigation Strategy anticipated.
- 3.12. The 2014 Mitigation Strategy drew heavily on the Visitor Survey evidence. It ruled out closing all of the seaward car park as too controversial. Instead it favoured what have now become the HREC recommendations and identified that the most appropriate time to review parking arrangements at Dawlish Warren would be when

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the Dawlish Countryside Park had been delivered. The Countryside Park was opened in September 2017.

4. ALTERNATIVE OPTIONS

- 4.1. If Mitigation Strategy projects are not delivered there is a significant prospect that one of the two scenarios set out below will transpire.

Scenario 1: Housing development halts

- 4.2. Housing development within 10km of the European Sites will not be adequately mitigated in accordance the Mitigation Strategy and will need to halt. This scenario was previously been experienced around the Thames Basin Heaths, where there was an embargo on development in 2007 until a strategy for providing the necessary habitat mitigation was put in place.

Scenario 2: Housing developers provide alternative mitigation

- 4.3. Having conducted a project specific Appropriate Assessment of likely significant effects on the European Sites, it may be that housing developers are able to identify alternative mitigation measures. They would need to secure these in order for Local Plan development to proceed. However, there is a significant risk that adequate mitigation could not be identified by private developers. The Mitigation Strategy was finalised following a peer-reviewed assessment of the most effective measures and private developers may find it challenging to identify alternative solutions that would be at least as effective.
- 4.4. The implication of both of these scenarios is that without putting in place mitigation measures identified in the Mitigation Strategy, there is a considerable risk that the Council would not be able to grant planning permission for housing allocated within 10km of the European Sites, including the housing allocated at South West Exeter. The Local Plan allocated more than 4,000 homes within the 10km area. Failure to deliver them would undermine Teignbridge's five year housing supply and plan led approach to providing new homes.

Alternatives considered through the Mitigation Strategy

- 4.5. During Mitigation Strategy preparation more radical options at Dawlish Warren were considered. These included setting back parking entirely from the current car parks, reducing year-round car park capacity, and even introducing a permit system that would allow a limited number of people to visit the site on a particular day.
- 4.6. The Mitigation Strategy ultimately refrained from the kinds of permit-style approach that would directly limit visitor numbers in favour of measures focussed on influencing behaviour.

5. REVIEWING LEGAL AND PRACTICAL CONSIDERATIONS

- 5.1. There is a clear legal imperative for the Council to meet its Habitat Regulations duties (through the HREC). However, it may not be practicable to take forward the HREC recommendations in their current form.
- 5.2. One key reason is that Teignbridge is currently party to a legal covenant that requires seaward car park spaces to be kept open. Further investigation will be required to establish whether this can be overcome or whether there are other alternative solutions that can be brought forward.

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- 5.3. Whilst assessing alternatives it may be appropriate to collect additional localised visitor data for at least one winter by installing automated pedestrian counters at some of the key access points to the Warren from the seaward car park. Once any changes that respond to the HREC recommendations have been made, comparison with the baseline data will help to confirm their effectiveness. Provision of the counters is something that the HREC could coordinate.
- 5.4. It is recommended that Executive receives a further report once the legal and practical implications of the HREC recommendation have been more comprehensively appraised.

6. MAIN IMPLICATIONS

- 6.1. Implementation of the HREC recommendation, as part of continued delivery of the Mitigation Strategy, would enable the Council to carry on granting planning permission for new housing that is allocated through the Local Plan.
- 6.2. Recent progress with delivering habitat mitigation has been strong and it is important to first confirm that the proposed changes at Dawlish Warren are practicable. There may be a risk of injunction if the legal implications of implementing the HREC proposals are not fully considered. Public consultation on amendments to the existing parking order at Dawlish Warren would also be required for any changes to the pricing structure to be made.
- 6.3. There has been concern raised by businesses based at Dawlish Warren as to the impact that the proposed changes would have on them. Exminster Parish Council have also highlighted potential impacts on local businesses, questioned whether the HREC proposals would be effective and economic to enforce, and highlighted a lack of public engagement.

7. JUSTIFICATION

- 7.1. Implementation of the HREC recommendation would play a key part in discharging the Council's obligations under the Habitat Regulations. It is supported by extensive evidence and by Natural England, who endorse the Mitigation Strategy and operate as the national statutory advisory body for protection of European habitats and species.
- 7.2. However, the implications of the HREC recommendation, including a legal covenant requiring car parking to be kept open at Dawlish Warren, need to be fully considered first.

Tony Watson,
Business Manager, Economy and Assets

Wards affected	Dawlish Central and North East
Contact for more information	Spatial Planning & Delivery, 01626 215702 Parking Services, 01626 215859
Key Decision	No
In Forward Plan	Yes
In O&S Work Programme	



SOUTH EAST DEVON
HABITAT REGULATIONS
PARTNERSHIP

South East Devon Habitat Regulations Executive Committee

Car parking at Dawlish Warren

Neil Harris, Habitat Regulations Delivery Manager
October 2017

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Legal comment/advice

There are no direct legal implications arising. It will be for Teignbridge District Council to determine whether it will agree to the recommendations of the HREC, should it be the decision of the HREC to make the recommendations proposed or any recommendations to Teignbridge District Council.

Finance comment/advice:

The recommendations of this report will need to be considered by Teignbridge District Council, including the specific financial implications involved as they only affect this Authority.

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Public Document:	Yes
Exemption:	None
Review date for release	None

Recommendations:

It is proposed that the Executive Committee:

- 1. Recommends that Teignbridge District Council (TDC) consider cessation of “high” and “low” season charges and implement a single charging schedule for car parking at the both the “inner” (seaward) and outer (landward) car parks, Dawlish Warren. These charges would apply throughout the year, including on Sundays, and would be most appropriately based on existing “summer” prices (and any appropriate increases to account for inflation).**
- 2. Recommends that TDC consider closure of the easternmost half of the “inner” car park from 15th October – 1st March. Discussion and agreement from Dawlish**

Equalities impact: Low

Risk: Medium.

Management of car parking at Dawlish Warren will improve visitor management and reduce visitor pressure on the Special Area of Conservation. The opening of the Dawlish Countryside Park provides an alternative for regular visitors. Effective changes to the management of Dawlish Warren are required in order to mitigate the effects of an increasing residential population.

1. Summary

1.1 As shown in Appendix A, there are two car parks at Dawlish Warren which are owned and managed by Teignbridge District Council. The “inner” or seaward car park (marked in blue in the appendix) is closest to the National Nature Reserve (NNR) and the “outer” or landward car park (marked in yellow in the appendix) is on the other side of the London-Penzance railway line. These car parks currently provide space for 1055 vehicles.

1.2 Parking charges are currently lower in winter than in summer, free on Sundays from November 1st – Maundy Thursday (Easter) and free between 6pm and 9am, year-round. As a result, charges are lower (and/or free) at the time of year when Special Protection Area (SPA) designated bird species are present and many people choose to walk dogs at times when the charges do not apply.

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1.3 On sites where a large proportion of people visit by car, modifying the distribution, cost and ease of parking is a means of managing visitor flows. There are examples of sites where the careful review, assessment and management of parking provision has led to a marked change in how people use sites.

1.4 Of all the groups interviewed in the Exe Estuary Visitor Survey (2010), 60% had travelled by car. Around 70% of the people interviewed at Dawlish Warren had travelled by car.

1.5 Teignbridge District Council are currently undergoing a revision of district-wide parking charges as part of the 2018-19 Council budget-setting process. Recommendations will be made to the Executive Committee on 5th December 2017 and will then be considered by the Overview and Scrutiny Committee and Full Council in early 2018.

2. Proposals and rationale

2.1 Raising the winter parking fee and applying a charge on Sundays is intended to deflect regular dog walkers who currently choose the site for longer weekend dog walks, and may reduce use of the site by daily dog walkers.

2.2 Car parking is free at the recently opened 26 hectare Dawlish Countryside Park. Changes in the management of parking at Dawlish Warren will serve to encourage more people to make use of this site and reduce visitor pressure on the internationally important reserve.

2.3 One long term option explored in the South-east Devon European Site Mitigation Strategy ("the Strategy") is to set back parking entirely from the current inner car-park. This would mean that car parking would only be available in the outer car park and all visitors would have to walk through the tunnel to access the site. This is unlikely to be viewed favourably (e.g. local retailers could be concerned about loss of revenue through lack of convenient parking).

2.4 Significant numbers of overwintering birds start to use the Warren from mid-October, typically staying until early March. As such, an alternative to closing the entire inner car park is to close the existing gates, effectively reducing capacity by half from 15 October – 1st March (shown in red in the appendix). TDC's current "low" parking season is from 1 November – Maundy Thursday (Easter) but this begins after significant numbers of birds are using the Warren and extends later than when they have departed.

2.5 Any changes in the management of access to the easternmost section of the inner car park would need to be discussed and agreed with the Dawlish Warren Golf Club.

2.6 As there is no current car park charging on Sundays, Teignbridge will need appropriate enforcement resources to be put in place in order to support the recommendation for charging throughout the week.

Potential future changes

2.7 In addition to the measures proposed through this report, the Mitigation Strategy would also support the principle of extending the daily car park charging hours at Dawlish Warren beyond the current times of 9am to 6pm. Whether this is appropriate should be reviewed again once the changes proposed here have been made and established.

2.8 At that point, consideration should also be given to whether some of the income from car parking at Dawlish Warren can be directed towards maintenance of new SANGS car parks.

3. Conclusion

3.1 The current car parking fees at Dawlish Warren incentivise visitors to the site during the “low” season between November 1st – Maundy Thursday (Easter) by offering free parking (on Sundays) or discounted charges. This means that visitors are encouraged to the site at the same time as when it is most important for the SPA designated bird species.

3.2 To manage visitor pressure at this very popular attraction and mitigate the effects of an increasing residential population, robust and effective measures are necessary. The recent opening of the – free to park - Dawlish Countryside Park provides alternative green space, specifically designed and funded to relieve pressure on the internationally important wildlife site at Dawlish Warren.

3.3 It is necessary and integral to the Strategy that there are appropriate disincentives in place which are aimed at managing visitor flows and pressures in sensitive areas. The solution put forward in this report is the careful and considered management of car parking charges, as an alternative to longer term and more comprehensive access restrictions.

Neil Harris
Habitat Regulations Delivery Manager

South East Devon
Habitat Regulations
Executive Committee
October 2017

Natural England comment:



Habitat Regulations Executive Committee

Appendix A: Car Parking at Dawlish Warren



Yellow area : Outer car park

Blue area : Inner car park

Red hatched area : Easternmost area of inner car park

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Appendix 2

Status of South-east Devon European Site Mitigation Strategy projects

Mitigation measures - completed	
Site	Measure
All	Dawlish SANGS
All	Habitat Regulations Delivery Manager
All	Habitat Mitigation Officers (HMOs) (2)
All	Vehicle for the HMOs
All	Project Officer (Dogs project)
All	Devon Loves Dogs scheme
Exe Estuary	Review of zones
Pebblebed Heaths	New dog bins
Pebblebed Heaths	Monitoring of path width and erosion

Mitigation measures – in progress (Yr 1 business plan 2016-17)	
Site	Measure
All	SW Exeter SANGS
Dawlish Warren	Petalwort monitoring
Dawlish Warren	Visitor Centre
Exe Estuary	Codes of Conduct
Exe Estuary	Patrol boat
Pebblebed Heaths	Map of sensitive areas

Mitigation measures – in progress (Yr 2 business plan 2017-18)	
Site	Measure
Dawlish Warren	Carry out audit of information boards
Dawlish Warren	BBQ info at local retailers
Dawlish Warren	Removal of Dog Control Order
Dawlish Warren	Byelaw preventing fires and barbeques in buffer zone
Dawlish Warren	Review and modify parking
Exe Estuary	Codes of Conduct
Exe Estuary	Patrol boat
Exe Estuary	Monitoring Wildlife Refuges
Exe Estuary	Update signs at public slipways
Exe Estuary	New interpretation boards (five boards)
Exe Estuary	Procurement, installation and maintenance of buoy markers
Pebblebed Heaths	Codes of Conduct
Pebblebed Heaths	Boardwalks/Path surfacing

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Mitigation measures – 5 Yr Delivery Plan*	
Site	Measure
All	Visitor number monitoring
All	Visitor behaviour monitoring
Dawlish Warren	Vegetation monitoring
Dawlish Warren	Erosion monitoring
Dawlish Warren	Live visitor management plan
Dawlish Warren	Rationalisation of path network
Dawlish Warren	Banks or fencing around existing car park
Dawlish Warren	Regular Warren Newsletter
Exe Estuary	Monitoring of wintering wildfowl
Exe Estuary	Gate slipway at Exmouth Imperial Recreation Ground
Exe Estuary	Close railway crossing at Cockwood
Exe Estuary	Review and revision of byelaws
Exe Estuary	Updates of the Exe Estuary leaflets
Exe Estuary	Low planting around edge of Imperial Recreation Ground
Exe Estuary	Install dedicated signs - kite & wind surfing (Exmouth)
Exe Estuary	Relocate Bird hide @ Dawlish Warren
Exe Estuary	Reed/other screening between Bight & Golf Course @ Dawlish Warren
Exe Estuary	Limited, localised changes to Golf Course @ Dawlish Warren
Pebblebed Heaths	Educational work with schools
Pebblebed Heaths	Interpretation boards
Pebblebed Heaths	Detailed material on the web
Pebblebed Heaths	Signs directing people to preferred routes
Pebblebed Heaths	Signs asking visitors to behave differently
Pebblebed Heaths	Changes to car parks
Pebblebed Heaths	Species monitoring – Annex 1 breeding birds & Southern damselfly

*These measures are yet to be considered by the Officer Working Group or Executive Committee but are listed in either the SEDESMS or Pebblebed Heaths Visitor Management Plan.