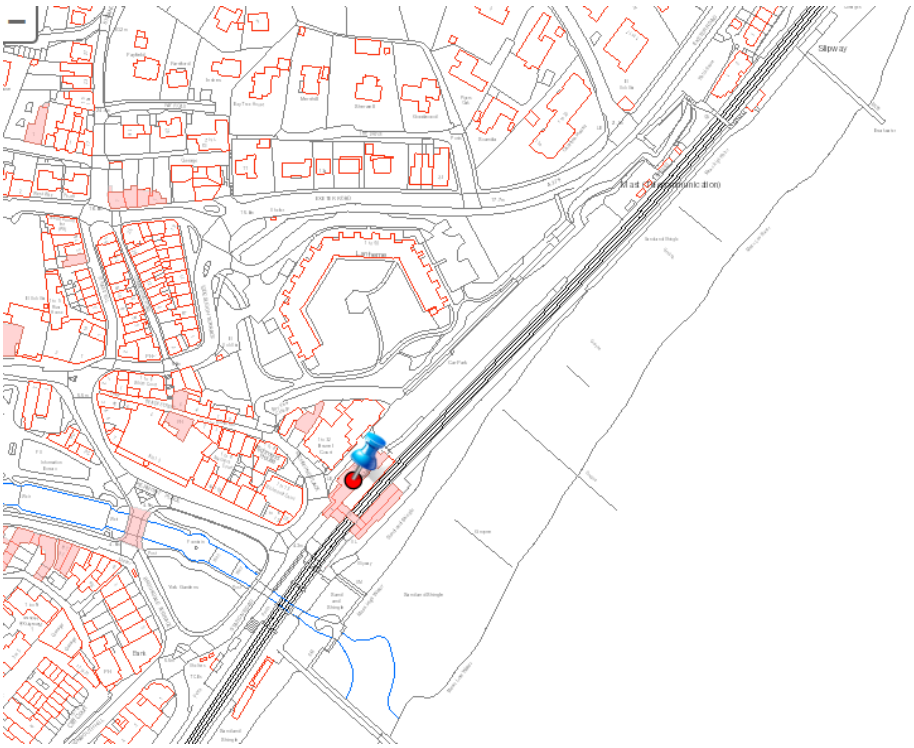
PLANNING COMMITTEE REPORT
18 AUGUST 2020

CHAIRMAN: Cllr Mike Haines

APPLICATION FOR CONSIDERATION:	**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**	
APPLICANT:	**Network Rail**	
CASE OFFICER	**Helen Addison**	
WARD MEMBERS:	**Cllr Linda Goodman-Bradbury** **Cllr Linda Petherick** **Cllr Martin Wrigley**	**Dawlish North East**
VIEW PLANNING FILE:	https://www.teignbridge.gov.uk/planning/forms/planning-application-details/?Type=Application&Refval=20/00933/NPA&MN	



20/00933/NPA - Coastguards Breakwater To Colonnades Breakwater And Dawlish Railway Station
Station Road, Dawlish
EX7 9PJ

Teignbridge DISTRICT COUNCIL South Devon

REASON FOR REPORT

This application has been included on the agenda because the Business Manager - Strategic Place is of the opinion that it is of regional significance and therefore it is appropriate that determination is by the planning committee.

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 design of the accessible footbridge,
2. The incorporation of elements of relief into the sea wall
3. Confirmation of the extent of refurbishment to the downside platform building

AND

Subject to confirmation that Network Rail is the competent authority or the satisfactory conclusion of the consideration of the proposals by the LPA as the competent authority;

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:

1) Schedule of external materials to be agreed with submission of sample panels, including hard surfaced areas, walls, fences, platform finish etc.
2) Details of design and materials of new railings, handrails, benches, gates etc
3) Detailed schedule of works to downside station building to include measures identified in Appendix C of the Historic Statement including timescale for implementation and completion.
4) Details of re-use of gas standard posts
5) CEMP to include pollution prevention guidelines, protection of coastguards footbridge, monitoring of vibration from piling
6) Specification of external lighting
7) Details of heritage boards in terms of size and location
8) Specification of alterations to Coastguards footbridge
9) Phasing plan for implementation of works
10) Timescale for completion of new accessible footbridge
11) Schedule of alterations to the listed station including changes to canopies
12) Annual monitoring of changes to levels of beach and in the event of accelerated loss of sand submission and implementation of a scheme to address impact of new wall on beach levels.
13) Details of drainage system to include the station, promenade and public realm including maintenance regime.
14) Provision of cycle parking
15) Provision of bird/bat nesting boxes
16) Details of biodiversity enhancement measures to be provided at Dawlish Water Basin and the pocket park to include maintenance details for 10 years.
17) Pre- and post-construction *Sabellaria alveolata* condition surveys
18) Detailed design of Dawlish Water Basin
19) Details of height of fence above wall dividing station platform and new promenade
20) Construction Management Plan to include protection of back wall of former pumping station in the station car park.

21) Details of signage to include access and egress in the Colonnades area relating to fluvial and coastal events.
22) Details of how the historic legacy of the Boat House will be acknowledged.
23) Details of public art at the Dawlish Water Basin and adjacent to Coastguards Breakwater.
24) Detailed plans of development adjacent to Coastguards Breakwater to include how the development abuts the breakwater.
25) Details of an external lighting scheme between the Colonnades Bridge and the station.

Informatives
Flood Risk Activity Permit
SSSI assent

3. DESCRIPTION

Site Description

1.1. The application site comprises a 415 metre stretch of railway between the Colonnade breakwater and the Coastguards breakwater, which includes the Grade II listed station building. The site extends to include the southern part of the car park closest to the station building, Dawlish Water basin, the former Coastguard's Boat House, the Coastguards Bridge and a small pocket park accessible by footpath from both Exeter Road and from the Coastguards Bridge. It includes a short length of both of the breakwaters. The site is partly within Dawlish Town Centre, and is located adjacent to the beach. The norther end of the station car park and the park are within the Dawlish Cliffs SSSI. Along the south eastern side (seaward) of the application site there is a hard surfaced promenade which forms part of the South West Coast Path. This path is at a lower level than the station and provides unobstructed access to the beach along most of its length.

1.2. To the northwest of the site is Station Road. To the northeast of the site is Riviera Terrace frontage. To the southwest of the site is the colonnade breakwater and the Marine Parade frontage, where a new sea wall with associated promenade is under construction and to the southeast of the site is the beach frontage.

1.3. The notable elements of the application site are described below:

The Station Building

1.4. The station building opened in April 1875, following a fire that destroyed the original building that had been constructed from wood. It has an Italianate styled structure with a painted render finish on the elevation facing the town and on the seaward side continues the Italianate design at the upper level with the lower level in a battered fortified design. The Council's Conservation Officer describes the lower floor as a type of dockyard military workshop building originating at the Arsenale in Venice. There are 5 recessed arches which provide seating along the promenade. There is a blocked off stairway at the southern end of the building which originally enabled direct access from the downside platform to the beach. The upside and downside platforms are linked by a footbridge which was replaced in 2013. The canopies above the platforms were replaced in 1961.

1.5. There is an interesting feature on the southern section of the downside (seaward) platform which is supported by a row of cast iron pillars made from reused gas standard posts, used during the 1940s due to the limited availability of iron and steel as shown in the photograph below;

1.6. To the north of the station platform the downside (seaward) platform overhangs the promenade below. There is evidence to show that this section has been rebuilt or repaired on a number of occasions. It is also a popular nesting location for pigeons.

1.7. There is a waiting room on the upside (town) platform. There are four rooms adjacent to the downside (seaward side) platform that are in a poor state of repair and not in use. There are windows on the seaward elevation of the building some of which are protected by Perspex.

1.8. An escorted barrow crossing is used for wheelchair users and others where the steps to the footbridge are inaccessible. The crossing is restricted in use and outside of operational hours passengers are required to change at stations further west to return on the north platform.

1.9. The station was rebuilt in the last year of the operation of the South Devon Railway before it was amalgamated with the Great Western Railway in 1876 and is described in the applicant's heritage statement as standing alone as a late and accomplished example of the South Devon Railway line. Later buildings along the line follow the Great Western Railway's design.

The Sea Wall and Promenade

1.10. The sea wall between Colonnade and the Coastguards Breakwater was originally built as part of the construction of the South Devon Railway in 1846. A second track was laid along this section of the railway in approx. 1874 which would have necessitated obscuring the original wall. The wall is a linear feature. There is evidence of multiple rebuilding along its length. In contrast to the sea wall along the Marine Parade section it has a promenade about halfway down its height on the seaward side rather than along its top. There are virtually no railings along its length and there are open views to the sea from the wall and the promenade.

1.11. There is a ramp to the beach located close to the Colonnade viaduct, and another by the Coastguards Breakwater. There are steps to the beach, halfway between the station building and the Coastguards breakwater.

Coastguards Boat Shed and Footbridge

1.12. At the northern end of the sea wall there is a footbridge over the railway line and a Boat Shed, still within the application site. The steps to the footbridge and the Boat Shed are constructed from granite. They were built in 1846 making them some of the oldest surviving features along the South Devon Railway.

1.13. The Boat Shed was originally a boat store for the coastguard's boat. The former Coastguards station was situated on the other side of the footbridge. The coastguard service here closed in 1901. This Boat Shed is currently in a derelict condition. The roof was removed last winter due to concerns about safety on the railway from loose slates.

1.14. The footbridge was originally a cast iron structure. The bridge deck was replaced in the late 20th century. The original stone plinth housing the steps to the beach remains, as does the ashlar plinth, quoins, cornice bands, copings and blind lancet windows. An image of the Boat Shed with the footbridge in the background, showing their distinctive architectural detailing is below;

Dawlish Water Basin

1.15. This is the stilling basin formed where Dawlish Water meets the sea. It adjoins the Colonnade Breakwater and is covered with sand and shingle, with a low stone wall along the eastern and northern boundaries. It appears as part of the beach although there are signs in place warning the public not to go into the river water. The basin area can be seen in views from the town centre under the Colonnade Viaduct.

The Colonnade Underbridge

1.16. This is a low bridge that is finished in painted metal, supported on four colonnades that carries the railway over the main pedestrian access to the beach from the town. There are low upstands on either side of the bridge with railings above. The Council's conservation officer describes the colonnades as "a very aesthetically pleasing conjunction of granites, roughly-coursed and smooth, with brick; the ends are turned, not square and have a sculpted plinth and corniced cordon, with a pedestal base over".

1.17. The application site is clearly visible from the surrounding area which includes the south west coast path and the beach. There is limited visibility of the station and railway line from the centre of the town. One key viewpoint that is visible from the Lawns is a view of the Colonnades viaduct. This view is significant because the sea is visible under the viaduct bridge and it is the main visual link between the town centre and the sea. The majority of the application site is located within the boundary of Dawlish Conservation Area. The southern part of the site is within flood zone 3, which carries the highest level of flood risk.

1.18. The cliff at the northern end of the station car park which extends to the park that is within the application site is designated as a SSSI. It is notified for its geological interest.

The Application

1.19. This is an application for prior approval for alterations to the sea wall and the promenade. By virtue of Part 18 of the General Permitted Development Order (England) 2015 (as amended) planning permission is granted for the works subject to the Local Planning Authority giving approval to the design or external appearance of the development to ensure that it would not 'injure the amenity of the neighbourhood'. Therefore the principle of development is already agreed and only issues of design, external appearance and their effect on the amenity of the area can be considered in the determination of this application.

1.20. Network Rail advises that the reason for this submission is because the proposed works are needed to protect the railway line for the next 100 years by improving existing sea defences. Currently the railway is susceptible to large over topping events and flooding of the track bed, which means that in storm events the railway needs to close as trains cannot pass the station when the track is flooded and passengers cannot safely get off the trains due to sea water overtopping the platform. This line is the only route linking Devon and Cornwall to the national rail network, and therefore any obstruction on the line in Dawlish impacts Cornwall and towns/cities to the south west such as Newton Abbot, Plymouth, Torquay and Truro.

1.21. The predicted sea level rise of 1 metre over the next 100 years requires greater protection to be provided in this development to ensure that the railway will be protected for this time period.

1.22. A separate Listed Building application has been submitted for the proposed alterations to the listed station building and an application for a Marine Licence has been submitted to the Marine Management Organisation.

1.23. Committed funding for this development has been made available by the Department of Transport and signed off by HM Treasury.

1.24. The development the subject of this application will link to the first phase of Network Rail's resilience programme which is currently under construction at Marine Parade. The submitted application is for the following development;

I. Construction of a new sea wall with a recurve and promenade between the colonnades viaduct and the Coastguard's ramp.
II. A wider and taller public walkway incorporated into the seawall to include viewing and seating areas along its length.
III. A new bridge over Dawlish Water to join the promenade to the new sea wall at Marine Parade
IV. Remodelling of the basin at the end of Dawlish Water
V. Demolition of the Coastguards Boat Shed with the exception of the rear wall which acts as a retaining wall for the railway.
VI. Demolition of the lower part of the Coastguard's Footbridge stairs.
VII. Alterations to the station platforms to provide a reduced stepping distance between the train and the platform on the seaward side, new surfacing to include tactile paving and remodelling of the overhanging platform requiring the relocation of some listed elements.
VIII. Conservation works to the station consisting of the restoration of external fabric and the upgrade of internal rooms to the downside waiting rooms to bring these facilities back into use.
IX. A new accessible station footbridge with lifts and steps and ramp into the station carpark.
X. Construction of ramped access from the downside platform directly to the beach.
XI. Reconstruction of the Dawlish Water stilling basin on the same footprint which would incorporate new public realm and seating.

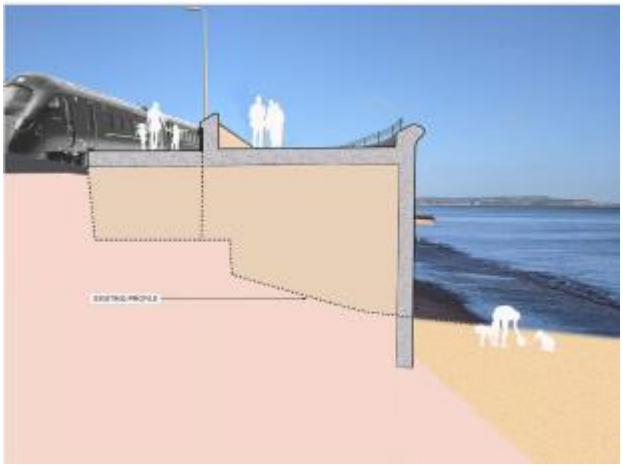
1.25. Further details of the main elements of the proposal are detailed below;

<u>The Sea Wall</u>

1.26. The proposed Sea Wall would be constructed in precast concrete with a recurve top, which is the same form as the recently constructed sea wall at Marine Parade. Unlike the current sea wall which has a low-level Promenade giving it a staggered appearance when looking from the shore, the proposed wall would comprise a single vertical wall to c8.0m AOD (rising between 6-8m above current beach levels). There would be a high-level Promenade along the top, typically at c6.9m with raised viewing areas at 7.2m AOD behind the wall, with a second wall dividing the promenade from the railway platform beyond. The top of the second wall would be 8.5m AOD. As the railway platform behind is at 7.0m AOD this would mean that the wall would extend 1.5m above the platform. The proposed sea wall would be considerably higher in comparison with the existing wall which is around 3.8m high (a difference of 4.2m).

1.27. Prior to the selection and design of a new taller sea wall and promenade to protect the railway and station, other options were considered by Network Rail (NR) including a taller wall with a low level walkway, an off shore breakwater and beach nourishment. Physical testing of a taller wall with both a low and high level walkway was carried out by NR. This showed that a design including a low level promenade would not provide the resilience required to stop overtopping of the

railway. A taller sea wall to include high level promenade was the option selected as the design solution. A cross section of the new wall and promenade relative to the existing wall is below;



1.28. The new dividing wall between the station platform and the high level walkway can also be seen on this section.

1.29. The new sea wall would be adjacent to and surround the lower ground floor level of the station building, obscuring the whole of this level. Currently users of the coastal path walk level with the lower ground floor and see a two storey elevation. The proposal would raise the level of the walkway adjacent to the station meaning pedestrians would be at the level of the current first floor windows.

1.30. As with the works at Marine Parade the existing sea wall and promenade would stay in situ and the new wall would be constructed and back filled. Rather than digging a strip foundation and filling with concrete as was done at Marine Parade, because the sand depths and bedrock levels are different the supporting structure and foundation for the new wall would be piled. Pile installation is proposed to involve screwing-in and / or pre-augering, utilising piles of 1,220mm or 750mm diameter; percussive piling techniques would not be used.

1.31. As can be seen on the section the new sea wall would project seawards onto the beach. Along the majority of the length of wall the projection would be 3 metres although in some sections such as adjacent to the Coastguards breakwater it would project 9 metres onto the beach.

1.32. Steps would be provided from the high level walkway adjacent to the southern end of the station to the hard surfaced area that passes under the Colonnades bridge. At the base of the steps there would be a ramp down to the beach. Stepped access to beach level would also be provided adjacent to the Coastguards Breakwater.

The Accessible Station Footbridge

1.33. A new footbridge with both steps and passenger lifts would be built to the north of Dawlish Railway Station which would provide step-free access. It would be set apart from the station building and would be an open structure (with no canopy) with angled lift shafts and both staircases facing south. All structural steel would be stainless steel with a bead blasted (matte) finish and the footbridge and steps would have glass balustrades. The exterior would be finished in Glass Reinforced Concrete panels with a textured pattern finish. The steps on the downside platform would have a wave protection wall.

1.34. The construction of the new station footbridge could only take place if the existing station platform is reconstructed and widened in order that there would be sufficient space and the platform would be structurally capable of accommodating it.

Dawlish Railway Station

1.35. The Sea Wall would run directly in front of the southern (beach side) elevation of the station building, obscuring the lower-storey entirely. At the interface between the sea wall and the station building there would be a waterproof membrane included to prevent any ingress of water from the new structure into the fabric of the historic building. The construction would involve the removal of the overhanging platform south of the building and the gas standard pillars which support it, and the cantilevered platform to the north of the building. A new Promenade would run at the level of the upper storey, with pedestrians walking alongside the windows in the station building.

1.36. It is also proposed to alter the arrangement of Platform 1 (downside). This would involve platform edge realignment and the raising of the platform level. The first step of the staircase leading to the existing footbridge would be removed to match the raising of the platform level. Platform 2 (upside) would be lowered slightly but to prevent impact to the main building the platform would have a gradient to it, approximately 1:50. All platforms would be resurfaced with new tactile indicators for the visually impaired and copers installed. There would also be new telecoms, lighting and CCTV assets.

1.37. The construction of the new sea wall would provide protection to the station building and would enable it to dry out. It is proposed to bring the existing rooms adjacent to the downside platform back into public use. It is also proposed to refurbish the windows along this elevation and to remove the perspex screens. In addition repairs would be carried out to this elevation of the building.

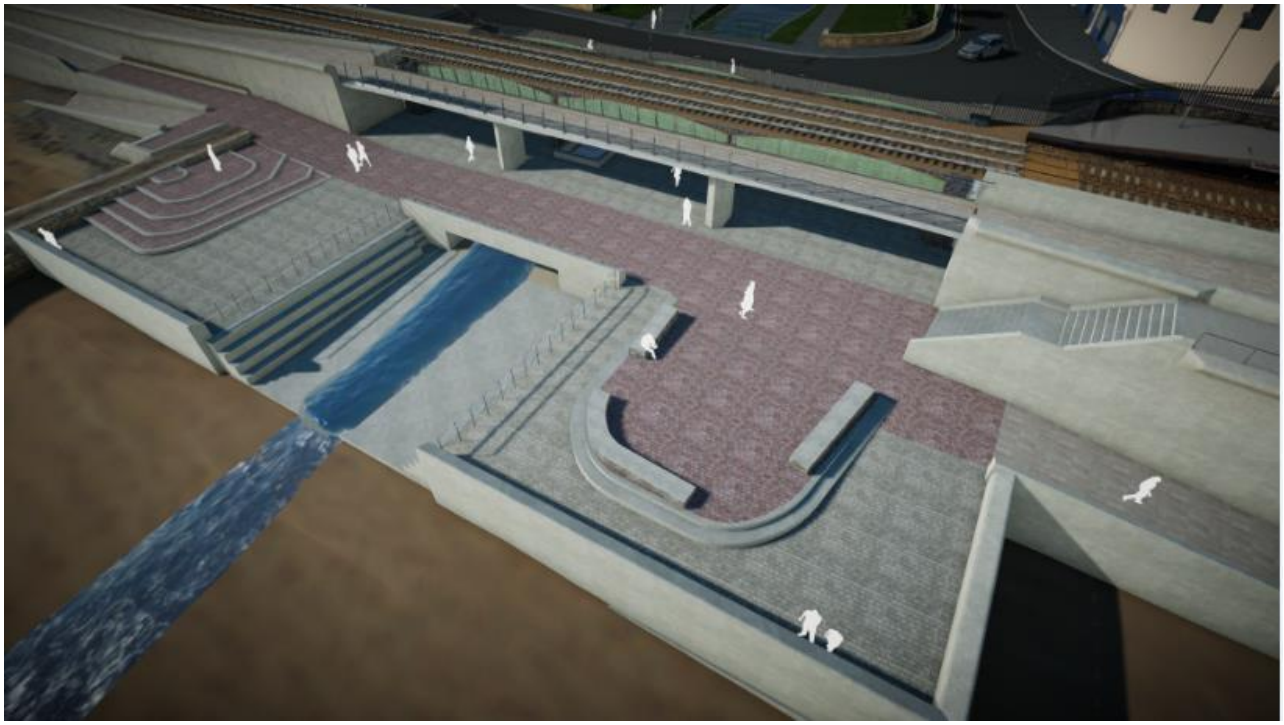
1.38. A new pedestrian ramp would be formed between the upside station platform and the car park which would link to the new lift bridge in order to provide step free access to both platforms.

Dawlish Water Basin

1.39. It is proposed to reconstruct the outflow basin for Dawlish Water on the same footprint that currently exists. The existing wall at the seaward end of the basin would be increased in height from 2m to 3.8 m. The open section of the basin would be reduced in size and the remainder of the basin would be hard surfaced to create a larger area of public realm in this location. Railings would be placed around the edge of the outflow basin to prevent public access. At the town end of the basin a wider culvert would be provided under the new walkway to future proof potential works to Dawlish Water by others.

1.40. The existing culvert which carries Dawlish Water under the Colonnade Viaduct would be extended by approximately 7.5m on the seaward (southeast) side, to allow the new public realm area to cross over Dawlish Water. The extended section of the culvert would widen from the current width of 4.5m at its exit to 8m, to allow for potential future capacity upgrades of the existing culvert. The width of this section of basin would be the same as the current lowered basin section which carries flows to the sea.

1.41. It is proposed to hard surface the entire basin. A stepped design would be created which incorporates areas of rougher concrete and depressions to allow 'rock pools' to form with the tide and promote biodiversity. The landscape design for the area includes new public realm around the basin, incorporating seating and areas for public art and heritage interpretation.



Link to Marine Parade

1.42. The proposed new high level walkway would link to the new raised walkway currently under construction at Marine Parade through the construction of a new pedestrian link bridge adjacent to the Colonnade Viaduct. This was originally submitted with solid concrete walls on either side but has been revised during the course of the application to have railings on either side. This new link bridge would be visible from the town side of the Colonnades above the existing bridge.

The Boat House and Coastguards steps

1.43. It is proposed to demolish the existing stone Boat House. The rear wall would be retained because it is a retaining wall to the railway. Stones from the Boat House would be reused to create a feature within the new surfacing to show the footprint of the building. Reclaimed material would also be used to form new steps nearby and to form a bench. An interpretation board would be provided close to the area within information about the former structure.

1.44. The bottom of the Coastguard steps and parapet would be removed and covered by the new development as the level of the promenade in this location would be higher than it currently is.

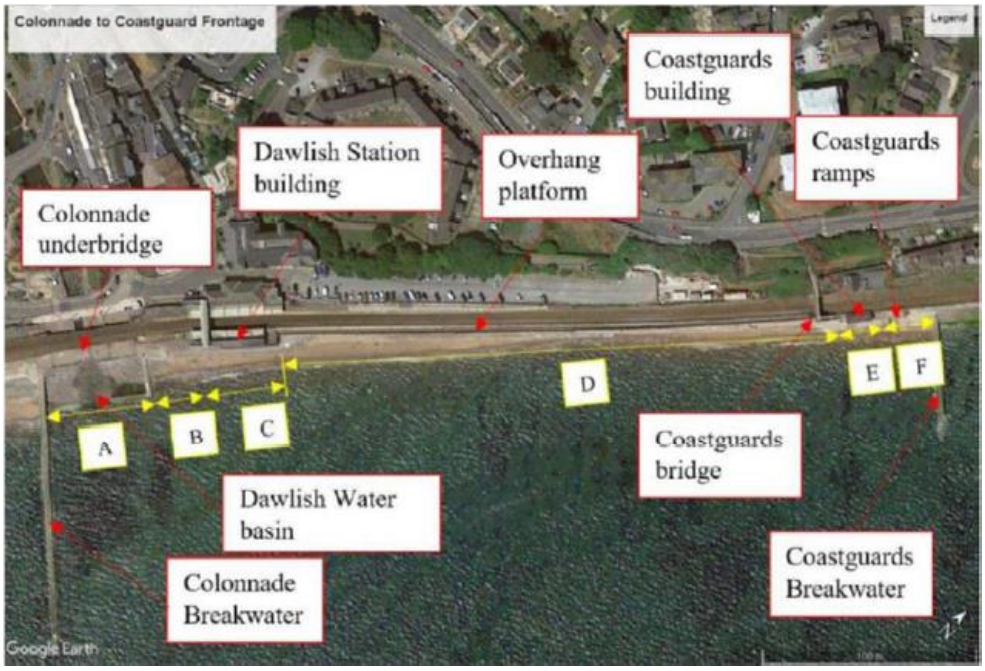
Enhancement works to park and nearby steps and path

1.45. Enhancement works are proposed to an existing small park area beyond the Coastguards footbridge. These include improvements to seating and the viewing area to deliver both amenity and ecological improvements.

1.46. It is proposed to improve the pathway and steps from Exeter Road down to the footbridge and onto the promenade by installing anti slip surface on the steps and new handrails at the side of the steps and pathway.

Network Rail's Description of how they Sub-divide the Development

1.47. In designing the proposed development Network Rail have broken the scheme down into six sub frontages (A to F), which reflect the different character and constraints of each element of the development and the separate engineering challenges. These are shown on the plan below;



These sub frontages can be described as;

A: Dawlish Water and still basin/ holding pit – 40m wide
B: South west of station – 26m wide
C: Dawlish Railway Station – 40 m wide
D: South east of station and main length of sea wall - 263m wide
E: Coastguards boathouse building – 14m wide
F: Coastguards interface and sea wall beyond – 32m wide

Assessment of the application

Principle of Development

1.48. The principle of this development is granted planning permission by the General Permitted Development Order (England) 2015 subject to the decision maker considering whether:

a) The development ought to be and could reasonably be carried out elsewhere on the land; or,
b) The design or external appearance would injure the amenity of the neighbourhood and is reasonably capable of modification to avoid such injury.

1.49. Considering (a) above, whether the proposal could be carried out elsewhere, as it specifically relates to improving the resilience of this stretch of railway line that has been vulnerable to storm damage and wave overtopping resulting in closure of the railway line, it is evident that this development could not be carried out elsewhere.

1.50. In respect of part (b) relating to the design and external appearance relative to the impact on the amenity of the neighbourhood the following issues are considered relevant to the determination of this application:

- Impact on the character and visual amenity of the area
- Impact on the character of the historic environment
- Flood risk
- Impact on biodiversity
- Impact on beach levels
- Impact on amenity of the occupiers of surrounding properties
- Conclusion

Impact on the Character and Visual Amenity of the Area

1.51. The proposed development would have a significant effect on the appearance and character of Dawlish due to its prominent location where it would be visible from publically accessible areas, in particular from the promenade and the beach. A notable visual change would derive from the height and scale of the new sea wall which would be approximately 4.2m higher than the existing wall, would encase the lower floor of the station within it and would extend the built form over the beach. Other elements of the development that would impact the appearance and character of the area are the new pedestrian link bridge to Marine Parade which would be visible above the Colonnades Viaduct when viewed from the town, the changes to the outfall basin for Dawlish Water, the new accessible footbridge in the station which would be significantly taller than the existing station building and demolition of the Coastguards Boat House.

1.52. The proposed sea wall due to its height and increase in width, would result in projection of the development onto the existing beach by between 3 and 9 metres. There would be a visual impact from the higher wall and the change in materials from a predominant use of natural stone in the existing wall to use of pre cast concrete panels, with a recurve panel above. This would be apparent when viewed from the beach and for users of the promenade which is also part of the SW coast path. The appearance of the station building from the beach and the coast path would be changed on a significant scale. Distinctive features such as the southern

part of the station platform supported on the former gas light columns, the lower fortress like stone elevation of the station building with its recessed arches and the northern extended cantilevered station platform would be hidden or removed. The experience for the user of the promenade would also be changed from walking at a low level close to the beach to being elevated above beach level. The relationship of pedestrians with the southern (beachside) elevation of the station building would alter as they would now be level with the first floor windows.

1.53. In support of the application NR has advised that whilst the design has been developed to minimise overtopping of waves it would also deliver amenity benefits for the public. These include provision of a wider promenade with areas for seating. The design of the promenade has progressed since the Marine Parade scheme, so that where seating areas would be provided the level of the promenade would be raised to reduce the height of the solid parapet to allow clearer views over the wall. Short sections of safety handrails would be provided on top of the solid parapet to maintain the 1.1m high safety requirement. This would be beneficial for children and people using mobility scooters or wheelchairs. It is also proposed to re-use the former gas standards to provide information and way finding through the development.

1.54. It is accepted that improvements need to be carried out to ensure that the railway line is resilient and adapted for the projected 1 metre increase in sea level over the next 100 years. It is not unusual to have walls adjacent to the sea to protect the land behind them, and they are common along the coast in Teignbridge. The new sea wall would be visible from the coast, but would not be visible from the town side of the railway line. The external appearance would be similar to the new wall on Marine Parade although it is noted that the panels would be placed horizontally rather than vertically on the wall around the station as shown in the image below:

1.55. From the Lawns there is an important view under the Colonnades Viaduct to the sea. This is of high value to the town as it is one of the few locations that the proximity to the sea is apparent. There would be an impact on this view from the

new high level pedestrian walkway that would be constructed on the seaward side of the viaduct to carry the promenade over the river to connect with Marine Parade. It would be at a higher level than the viaduct and would be concrete structure with railings on the parapet walls. An image of this view is below:

1.56. The proposed pedestrian link bridge would increase the built form visible at the viaduct, although it would be sited behind the existing bridge.

1.57. As originally submitted the design of the link bridge would have had a detrimental impact on visual amenity because solid parapet walls were proposed. The design of the bridge has been amended by the changing the sides to railings, which would notably lessen the visual impact of the new bridge

1.58. The proposed remodeling of the basin serving Dawlish water outflow includes provision of a new headwall to the open channel and an increase in height of the wall adjacent to the sea by 1.8 metres. NR have been requested to submit further information to provide certainty that neither of these walls would be visible in the view from the town centre under the Colonnades viaduct. This will be reported to Members.

1.59. The proposal to remodel the outflow basin for Dawlish Water would change its appearance from a predominantly natural feature that appears as an extension to the beach, filled with sand and shingle to a hard surfaced area of public realm, with a taller wall marking the boundary to the sea. This part of the proposed development would project the built form further onto the beach, increasing the urban character in this area. Network Rail has suggested that the provision of seating would improve the amenity value adjacent to the beach. It is considered that the success of this feature would be dependent on the finish and the quality of materials that are used.

1.60. The proposed accessible footbridge would be a modern intervention at the listed station. It would be largely obscured in views from the town centre by the existing station building as can be seen from the photograph below:

1.61. It would however be visible from public areas such as the station car park, from the new high level promenade, the beach and the existing pedestrian bridge at coastguards. It would be substantially taller than the station building with a height above datum level of 16.2m. This means that it would be 9.1 metres higher than platform level which is at c7.1m. The bridge has been deliberately set apart from the main station building in order to provide separation between the historic station building and the new modern bridge.

1.62. NR have been requested to provide illustrative samples of the materials that would be used in its construction. It would be preferable for it have as low key an appearance as possible in order to minimise its impact on the setting of the station.

1.63. Although it would be a tall structure it would not be particularly visible in key vistas in the Dawlish conservation area from the town centre. Siting it behind the station building would place it in a secondary location. It is also the type of structure that one would expect to see at a railway station.

1.64. Demolition of the Coastguards Boat Shed with the exception of the rear wall which would remain in situ and the lower portion of the Coastguard's Footbridge steps would change the appearance of the area immediately surrounding it. The loss of the Boat Shed would mean that part of the distinctive character of this section of the promenade would be lost, which would detract from the legibility of the area. The upper part of the footbridge steps would be retained and the lower parts would be obscured including the granite façade.

1.65. It is quite clear that the visual amenity of the area would be changed when viewed from the promenade and the beach. There would be a limited visual impact in views from the town centre, apart from the new link bridge that would sit above the colonnade viaduct. The overall magnitude of change would be high due to the scale of the proposed development. The visual character of the area would be altered through the loss of the historic palette of materials such as the limestone sea wall and stone faced lower elevation of the station building which would be replaced with a modern concrete wall the design of which is driven by the need to provide an engineered solution to protect the railway line from the sea. There would be change from encroachment of the built form towards the sea at Dawlish Water basin and adjacent to the Coastguards Breakwater. The loss of the Boat House would also have a negative impact on the visual amenity of the area.

Impact on the Character of the Historic Environment

1.66. There is a legislative requirement on Local Planning Authorities when determining applications that any decisions where Listed Buildings and their settings are a factor must address the statutory considerations of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving Listed Buildings or their setting or any features of special architectural or historic interest which they possess. With regard to development within a Conservation Area, consideration has to be given to section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

1.67. The National Planning Policy Framework (NPPF) sets out how decision-making in respect of applications for planning permission and listed building consent should be carried out to ensure that heritage assets are conserved, and where appropriate enhanced, in a manner that is consistent with their significance and thereby achieving sustainable development.

1.68. Paragraphs 193, 194 and 195 in the NPPF are of primary significance. Paragraph 193 explains that great weight should be given to the conservation of the heritage assets as set out in law.

1.69. Paragraphs 194 and 195 however do provide some discretion and allow a degree of harm to a heritage asset providing this can be balanced against public benefit. Development which causes substantial harm is only acceptable in exceptional circumstances. This is not however a simple balancing exercise but an assessment of whether there is justification for overriding the presumption in favour of preservation.

1.70. Heritage assets can be either designated or non-designated. Designated heritage assets include listed buildings and conservation areas. Non designated heritage assets include buildings, sites, places, areas or landscapes identified by plan-making bodies as having a degree of heritage significance meriting consideration in planning decisions but which do not meet the criteria for selection as designated heritage assets. In this application the Coastguards Boat House, adjoining footbridge, Dawlish Water basin and the two breakwaters are all non-designated heritage assets.

The Following Considerations will be addressed in this Section of the Report;

a) What is the significance of the designated and non-designated heritage assets?
b) Assessment of the impact of the proposed development on the character of the historic environment
c) The scale of development proposed for the site and why is this needed. Is there a clear and convincing justification?
d) What are the public benefits of the scheme?
e) Is the harm mitigated by the scale of public benefit?
f) Can the benefit of the development be delivered in other less harmful ways?

a) What is the significance of the designated and non-designated heritage assets?

1.71. Understanding the significance of heritage assets is the first step in considering how a development proposal would affect those assets. Identifying the nature, extent and importance of the heritage asset, and the contribution of its setting, enables the impact and acceptability of development proposals to be understood. Significance is relevant in decision making because heritage assets can be affected by either direct physical change or by change in their setting.

1.72. Significance in terms of heritage-related planning considerations is defined in the glossary of the NPPF as the value of a heritage asset to this and future generations because of its heritage interest. Significance derives not only from a heritage asset's physical presence, but also from its setting.

1.73. The setting of a heritage asset is also defined in the glossary of the NPPF. Although views of or from an asset play an important part in the assessment of impacts on setting, the way in which an asset is experienced in its setting is also influenced by other environmental factors such as noise, dust, smell and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places. For example, buildings that are in close proximity but are not visible from each other may have a historic or aesthetic connection that amplifies the experience of the significance of each.

1.74. Historic England, in their consultation response, provides a helpful introduction to the significance of the location which is; "Dawlish became a popular holiday destination in the 19th and early 20th century facilitated in part by the arrival of the railway. Its seaside character can be seen through the interaction of the town with the seafront, the characteristic white terraces and the creation of formal pleasure grounds around Dawlish Waters, known as the Lawns. The area has been designated as a conservation area, due to its special architectural and historic interest.

1.75. The railway played a key role in making Dawlish accessible to holiday makers and remains a prominent structure within the town…. The station is listed at grade II and remains an important historic structure within the conservation area, illustrating the popularity of the town through the high quality of its design and prominent position".

1.76. Network Rail (NR) have submitted a detailed Heritage Statement (HS) that in Part A considers the significance of the heritage assets relating to the development proposal. The Council's Conservation Officer has reviewed this and there are some areas of disagreement between the respective historic advisors.

1.77. In short, in terms of significance of heritage assets, the downside of the listed station building is the part of the station that will be most impacted upon. Its seaward elevation has a unique appearance derived from the distinctive 'Arsenale" form at lower ground floor level with a more refined appearance at the upper level. It is clearly visible from the beach and the adjoining walkway which forms part of the SW coast path. In NR's HS it is accorded medium significance, which in the opinion of the Council's Conservation Officer downplays its significance.

1.78. The railway line and station platforms are accorded medium significance in NR's HS. It recognises that from the platforms the visitor is able 'to appreciate long views that is rare from a train station platform'. This is also the case from the upside platform because of the permeability of the railings on the seaward side.

1.79. The Seawall and Promenade are considered by the Council's conservation officer to be linked together as they are an integrated structure, the promenade acting as a toe to the upper sea wall. In NR's HS they are accorded low significance. The Council's Conservation officer disagrees with this noting the total integration with the downside station (high significance), and that they reinforce one another.

1.80. The Colonnade Viaduct and Dawlish Water basin have diminished significance as a certificate of immunity from listing has been issued. Coastguards footbridge, and the Boat House are of less significance than the station because they are not listed. However they are all non-designated heritage assets within the Dawlish conservation area and are connected to the railway, contributing to the significance of the station.

1.81. As identified above Dawlish Conservation Area is a designated heritage asset. The majority of the application site is within the conservation area boundary.

1.82. The Dawlish Conservation Area Appraisal categorises the station as an outstanding building. This is a category of building described as "a highlight of any conservation area" and it applies to all Listed buildings. It is noted that the Coastguards footbridge and the Boat House are not referred to in the conservation appraisal. The view from the York gardens and the station platform is referred to as "the most memorable view of Dawlish" in the appraisal.

1.83. In the conservation area management plan it is assessed that it is the insensitive treatment of existing, historic buildings that has most eroded the area's distinctive architectural and historic qualities. These changes seriously threaten the value and integrity of the 'conservation resource' and if repeated will cause additional harm unless a more conservative approach is adopted. Therefore the Council will seek to encourage such a conservative approach in relation to changes in the area with a view to:
"halting any further loss of buildings or features which are of value in terms of their special interest and character and the positive contribution they make towards creating the area's local identity".

1.84. Opportunities for ‘character –enhancing’ improvements area identified such as the provision of new paving and lighting. In terms of resurfacing the appearance of Albert Street and the steps down from Exeter Road to Beach Street are identified as exemplifying best practice.

b) Assessment of the impact of the proposed development on the character of the historic environment

1.85. To assess whether a proposal would cause harm, consideration should be given to the impact of the proposed development on the significance of the heritage asset. The National Planning Policy Framework sets out that, significance derives not only from a heritage asset's physical presence, but also from its setting. Where potential harm to designated heritage assets is identified, it needs to be categorised as either less than substantial harm or substantial harm.

1.86. Whether a proposal causes substantial harm is a judgment for the decision-maker, having regard to the circumstances of the case and the policy in the National Planning Policy Framework. In general terms, substantial harm is identified as a high test.

1.87. Advice in the National Planning Practice Guidance (NPPG) explains that in assessing whether a proposal causes substantial harm, an important consideration is whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset's significance rather than the scale of the development that should be assessed. The harm could arise from works to the asset or from development within its setting.

1.88. The Council's Conservation Officer assesses the impact of the proposed development as being substantial harm. He justifies this by explaining that all the vernacular character of the current sea wall, the lower-level promenade, the lower storeys of the seaward side of the downside station; the decorative elements to the coastguard footbridge, and the Boat House will be lost. Either buried beneath the new sea wall, or demolished. The effect on the setting from the sea, and from the land, will be that views from the seaward side will be entirely different from that which they have been since the mid-19th century. The views from the landward side, both within and without the conservation area, will have a very different aspect towards the sea – from the upside platform passengers either seated, or alighting will have their views of the sea curtailed. He considers that the totality of the impact and change cannot be underestimated.

1.89. Historic England summarise the impact of the proposal as: "the works will alter the visitor's experience of the historic seaside resort in view of the seafront and the historic connection of the town to the beach. It will also impact on the station building, through the loss of part of its platform but also a significant change to the setting of the station".

1.90. The impact on the heritage assets affected by the proposed development is described in more detail below;

The Station

1.91. Where the greatest impact of the proposed development would occur as the lower ground floor is the sea wall and it will be encased in a concrete wall, and the platform will be altered with a new wall being constructed to separate it from the promenade. In public views from the beach and the existing promenade (which forms part of the SW coastal path) the change will be significant and will alter the setting of the station. The granite lower ground floor wall, with its complex returns and recessed arches would be obscured. The building is currently articulated along this elevation, with a narrow gable facing south with interest created through a varied building line. The proposed new wall and elevated promenade would not follow the existing form of the building as happens currently, and would be constructed with a linear form. The use of concrete panels for the new wall would introduce a modern material to this elevation of the building. In the listing description one of the reasons for designation of the station is explained as "thoughtful consideration has been given to the appearance and prominence of the station on both the town and seaward side". This part of proposal would be a notable modern intervention to the building. Historic England advise that this "will result in the building being removed from its functional role as a part of the sea defence and will be a considerable loss of the building's significance".

1.92. A key aspect of the station building is its location adjacent to the beach and the sea. This siting contributes to the distinctive character of the station. Currently users of the station can appreciate the coastal location from both the upside and downside platforms as there are extensive views up and down the coast from the elevated level of the platform above the beach. This would change as a result of the proposal. The proposed new promenade would be at platform level and would result in increased separation of platforms from the beach both physically and visually. To separate the new promenade from the station platform a 1.5m wall would be constructed with a fence on top of it. Views from the station platform would be largely obscured by the new wall. Dawlish is a tourist resort and the experience of the visitor is relevant. The current 'wow' factor from the proximity to the sea will be diminished by the development.

1.93. The proposal would necessitate the loss of the cast iron columns under the southern end of the platform, which make a distinctive visual contribution when viewed from the promenade and beach. Although these aren't original and were placed there in the 1940s they do have historic significance, which is reinforced by this part of the platform being included within the area of the station that is listed. NR are proposing to reuse these columns for wayfinding although no specific scheme of reuse has been included in the submission. The Town Council has requested that any columns which are unused be given to them which NR have agreed to. HE has advised that "opportunities should explored to accommodate the columns in a more meaningful way related to the significance of the listed building. The proposed reuse of the columns would be a positive initiative." Further clarification of how this could be achieved was requested and NR have advised that they propose to use them for heritage signage and platform furniture signage in addition to wayfinding. It would be appropriate to impose a condition requiring a detailed schedule of reuse to be agreed with the LPA.

1.94. The timber cantilevered platform to the north of the station building, is not included in the area of the listing but is considered to be protected by virtue of its attachment to the station building. This has been repaired many times, and was extended in the 1930s. HE advises that its loss will impact upon the significance of the station and consequently due to the loss of an element of the listed building sufficient robust information must be provided in order to assess the impact and determine whether there is sufficient justification for its loss. As this part of the platform has been extensively repaired the original materials are no longer present which means that its loss has less significance in terms of the historic character of the station. It is also noted that it would not be strong enough or wide enough to accommodate the new accessible footbridge that would provide an improved facility for station users.

1.95. Construction of the new accessible footbridge would constitute a modern intervention to the station. It would be sited to the north of the existing building so that there would be a clear separation between the two structures. The scale of the bridge is notably larger than the station building, particularly in terms of height. HE comment that "the two uprights squared lift towers form a significant and dominant structures within views of the station. This is further exacerbated by the choice of Patterned Glass Reinforced Concrete (GRC), the hard finish of which will add to the visual dominance of the proposed footbridge:…. We would advise that further consideration is given to the design of the structure. This should aim to address the shape and hard finish of the proposed towers, whose upper sections would benefit from greater refinement in their design. This could be through the choice of materials, colour and the creation of a greater texture or motif to break up the stark quality of the current design". The Council's Conservation Officer has also commented on this part of the application saying "it is a great pity that the attractive polygonal shape of the footbridge platform is not complemented by a slight batter to the outer sides of the lift towers, in an echo of the angled glacis of the station understorey, and sea wall".

1.96. NR have been asked to review the external finish of the proposed footbridge and to provide further illustrative material showing what it will look like.

1.97. The proposed conservation works to the downside waiting room constitute a clear heritage gain. The station building currently forms part of the sea defence which means that it is exposed to all weather conditions and wave action. The downside rooms are in poor condition and currently unusable. Some of the windows are protected by Perspex. The provision of the new sea wall presents an opportunity for this part of the station to be brought back into use. In NR's HS at appendix C there is a schedule of works proposed for the building. The Council's Conservation officer has advised that a full building survey should be carried out to inform the programme of works that will be carried out, which should be based upon these works. There is some ambiguity in NRs submission as to the extent of the refurbishment works proposed and this needs to be clarified in order to be certain of how much heritage gain would be derived from the proposal. It is appropriate to address securing the refurbishment works through a condition which should include the timing of these works, a method statement for their implementation and details of the drying out process.

Dawlish Water Basin

1.98. The proposal is to change the existing basin that currently appears as part of the beach, covered in sand and shingle with a low wall to the sea to an entirely hard surfaced area of public realm which rather than following existing ground levels as it does currently, will incorporate raised deck areas with steps down to the existing levels. Public access over the area will be controlled by barriers that prevent use of the basin area and the steps. The sea wall would be increased in height by 1.8m which would impact views out to sea. By hard surfacing this area it would push the built form further east towards the sea. The magnitude of change to this area would be high, and would impact views related to the conservation area.

1.99. In order to understand whether this hard surfaced intervention is the optimum design for the area NR were asked to provide more detail of the options that they considered for design and an explanation of why this approach was selected. It is explained that provision of the new sea wall, promenade and link bridge means that the public realm would need to be extended 5 metres into the basin area. A reduced basin area was tested for resilience and it was found that it would not provide sufficient protection for the railway line and would have a negative impact in terms of flood risk in the colonnades area.

1.100. The Environment Agency (EA) has suggested that the approach to the appearance could be more informal with a less regimented design of the steps. This has not been taken up by NR.

1.101. Whether this design would be successful in terms of creating a high quality area of public realm would largely depend on the choice of materials that would be used and the attention to detail in delivering them. The hard surfaced areas of public realm would be finished in grey and pink granite with new benches in large pink granite blocks. The surface of the basin would be rough finished concrete and incorporate artificial rock pools. This would result in a better quality finish than if it had been surfaced in concrete as the majority of the promenade will be.

Colonnade Viaduct

1.102. As stated above the new pedestrian overbridge would notably impact views towards the sea by reason of it being visible from the Lawns. The revised parapet detail is welcomed and would lessen the visual impact compared to the originally proposed solid parapet. The proposed new bridge would be visible from the Dawlish conservation area, and would increase the built form in views towards the sea. A visual impression of this view is below;

The Coastguards Bridge and Boat House

1.103. The proposal would result in encasing the lower section of steps to the bridge within the new wall and the Boat House would be completely demolished. These two changes would inevitably impact on the appearance and character of Dawlish conservation area through the loss of these non-designated heritage assets. It is noted that the steps are outside the boundary of the conservation area. They are both historic structures that make a positive contribution to the character of the area. There is a historic link between the Coastguards cottages, the footbridge and the Boat House. HE advise that they are "interesting structures in their own right, both contributing to the significance of the listed station (as derived from its setting) and the conservation area."

1.104. The design of the new public realm around what would be the former Boat House is sensitive to the building. Although it would go some way to mitigating the loss of the building, it would not totally offset the impact of demolition on the significance of Dawlish Conservation Area.

1.105. The upper part of the stairway would be retained although the lower section which includes decorative paired lancet windows would be lost. Although not in the conservation area as it is immediately adjacent to the boundary it would inevitably have a negative impact on the appearance and character of the conservation area.

1.106. The magnitude of change in this area would be increased by the considerable changes to the levels of the promenade in this area. A good illustration of this is the Conservation Officer's comment that "the raising and infilling would come to present eaves level" of the Boat House. Additionally the line of the new sea wall would project out towards the sea to a greater extent because of the current alignment of the wall which would increase the extent of the built form adjacent to Coastguards breakwater.

c) Is there a clear and convincing justification for the scale of development proposed for the site and why it is needed?

1.107. Para. 194 in the NPPF states that any harm to or loss of significance of a designated heritage asset should require clear and convincing justification and substantial harm to grade II listed buildings should be exceptional. Para. 190 requires consideration of the development to also address alternative options, to robustly ensure that the scheme can be demonstrated to be the least harmful while achieving similar public benefits.

1.108. The onus is the local planning authority to rigorously test the necessity of any harmful works.

1.109. It is recognised in the National Planning Practice Guidance (NPPG) that harmful development may sometimes be justified in the interests of realising the optimum viable use of an asset, notwithstanding the loss of significance caused, and provided the harm is minimised.

1.110. In their consultation response Historic England comment on justification of the development where they advise that the Council needs to ensure that clear and convincing justification has been provided for the resulting harm caused by both the loss of the metal columns under the south west part of the station platform, and the loss of the overhanging platform to the north east of the station. They advise that “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.”

1.111. The threat to this section of the railway line is quite simply from the sea and the need to protect the station and the railway line from overtopping as a result of wave action is the driving force behind the design of the proposed development.

1.112. Network Rail explain in their covering letter accompanying the application that the works are “first and foremost proposed to provide coastal resilience to the railway and railway station to stop the overtopping of the sea onto the track and station which at times currently restricts access to the travelling public wanting to visit the town. In addition to the resilience works as a result of the request of the Town Council and Councillors the project also proposes a fully accessible pedestrian lift bridge and other accessibility improvements to the station to promote the use of the station for all”.

1.113. In NR’s Heritage Statement it states that the current sea wall is inadequate to protect the existing structures from the sea and the new sea wall is necessary to ensure the long-term survival of the heritage assets such as the station and the railway line itself.

1.114. It is accepted that the principle of carrying out works to protect the railway line is necessary, particularly when considering the projected sea level rise of 1 metre in the next 100 years and recent storm events. The station's purpose is as an integral part of the railway network, and it needs to continue to be able to function to provide access for passengers. Resilience works have been carried out to the north of this section (Riviera Terrace) where the line failed in 2014 and to the south at Marine Parade. It is logical that this stretch of the line should also be protected. It is clearly apparent that intervention is needed to provide increased protection to the station and the railway line.

1.115. It is also relevant given the magnitude of the impact on the historic environment to test the design and scale of the proposed development in order to ensure that harm to heritage assets is minimised.

1.116. The background to designing a tall sea wall to protect the railway line is that NR considered other options including off shore breakwater and beach nourishment. This is addressed in the submitted "Sea Defence Option Selection Summary".

1.117. The initial long list of options that were identified included do minimum; a vertical wall with high promenade; a vertical wall with low promenade; recurve shielding and raised crest levels; standalone wall with promenade on top; sloped rock revetment; and offshore breakwaters.

1.118. These were evaluated using a weighted multi-criteria matrix which included visual impact and heritage preservation. The option of an off shore breakwater was recommended for sections A (Dawlish Water), B (Dawlish Water to Station) and C (Station building) but not for the remainder of the development and therefore it was not taken forward.

1.119. Two off shore breakwater designs were considered;

- High breakwaters – approximately 80m offshore with a crest level of approximately +7mAOD
- Low breakwaters and sea wall or beach – a breakwater approximately 80m offshore with a crest level of approximately +4mAOD

1.120. The report notes that both options would require extensive works to seawalls and platform to guarantee the structural performance of the seawall for the next 100 years although the extent of what these works would be is not detailed.

1.121. There were a number of reasons why a breakwater was not considered which include negative visual impact on the view from the shore, cost, maintenance, impact on Dawlish Water flow, negative impact on water quality and health and safety risks.

1.122. The design of both a vertical wall with a high level promenade and a low level promenade was tested for sections D, E and F using 2D modelling and it was concluded that the wall with the low level promenade did not perform effectively. This meant that for this part of the development a high level wall would be needed. Further consideration was given to whether a low level promenade could be provided for sections A, B and C but this was discounted due to difficulty in providing the transition between levels. The optimum design solution was found to be a wall with a high level walkway along the entire length of the site. This effectiveness of this was tested in 3D situation at HR Wallingford.

1.123. Addressing the threat from the sea through beach management was also considered, although this would have needed to have been delivered in conjunction with some of the other options that would not have provided resilience. Beach management would involve capital beach nourishment as well as the installation/upgrade of a range of coastal protection structures and terminal groynes (Colonnade and Coastguards breakwaters).

1.124. NR concluded that the whole-life cost of any solution involving beach management would be considerably higher than other explored solutions such as high-level promenade with no beach management. In addition there would be a high risk of this solution not meeting the overtopping resilience requirements for periods of time until reactive maintenance occurs. Therefore this solution was discounted.

1.125. In terms of the design of the overall scheme it is acknowledged that heritage impact was a factor in its selection. NR have not shared the weighting given to the factors that were used to assess the options. However, it is acknowledged that any scheme to provide protection from the sea for the next 100 years would need to be robust, of an appropriate scale to address projected sea level rises and climate change. It is considered that such a scheme would inevitably impact of the setting of the listed station building and the Dawlish conservation area given their location abutting the sea.

1.126. In NR's HS an attempt is made to justify each element of the proposal. It is argued that the significance of elements of the development is low and therefore the loss of the asset is of little value. The Council's Conservation Officer's opinion is that the only justification required is that the works are to protect the operation of the railway and the station. In his view this cannot be objected to, as the extreme alternative is the loss of the line and the degradation of the station.

1.127. The works are considered to be jusitfied.

d) Is the harm mitigated by the scale of public benefit?

1.128. Para. 193 in the NPPF reflects s66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 requiring great weight to be given to the asset's conservation irrespective of whether any potential harm amounts to substantial harm. However flexibility in determining applications is introduced in Para. 195 of the NPPF, which allows for substantial harm of designated heritage assets where it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh that harm.

1.129. The NPPG confirms that public benefits could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (para. 8). It explains that benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit.

1.130. As has been explained, the public benefits of the proposal can outweigh the strong presumption against approval which arise from concerns about the scale of harm on the historic environment identified in the sections above. However, by law, the harm has to be given considerable weight and therefore the public benefits also need to be considerable to outweigh the harm.

e) The public benefits of the development are;

General

I. This project comprises a £50 million investment in Dawlish in addition to the £30 million already spent at Marine Parade to provide a new sea wall to protect the railway and the town.
II. In addition to the above a further £6 million will be invested to provide the new accessible footbridge at the station.
III. Proposal provides long term certainly for this stretch of the railway as the works have been designed to withstand wave action for the next 100 years.
IV. Proposal directly relates to improvements in the delivery of a sustainable method of transport, thereby supporting adaption to climate change.

Tourism

I. Reconstruction of the downside platform improves accessibility for passengers getting on and off trains.
II. Better beach access which is fully accessible from the downside platform.
III. Wider, safer promenade accessible to all.
IV. Protecting the railway also preserves the South West Coast path.
V. Removal of pigeon roosts – leading to a cleaner walkway and improved water quality.
VI. New high quality public realm created at Dawlish Water basin including podiums and viewing areas.
VII. new seating, variously concrete, limestone (re-used), or granite
VIII. improvements to the steps at coastguards footbridge

Better for passengers

I. Improving resilience means more reliable train services.
II. Better experience for passengers at the station who are currently exposed to the elements
III. Downside platform waiting room would be brought back into use.
IV. Fully accessible footbridge is safer than the current barrow crossing and will be open whenever trains are running so passengers with reduced mobility will no longer need to travel via Newton Abbot.

Heritage

I. Increased protection for the Grade II listed Dawlish station building, which is used by more than half a million people a year.
II. Allows upgrades to the station building and will bring mothballed areas back into use.
III. Heritage Interpretation boards
IV. Re-use of material from the Coastguards Boat House
V. Re-use of the Pier Posts/gas lamp standards
VI. Recording of the historical interest of the heritage assets affected.

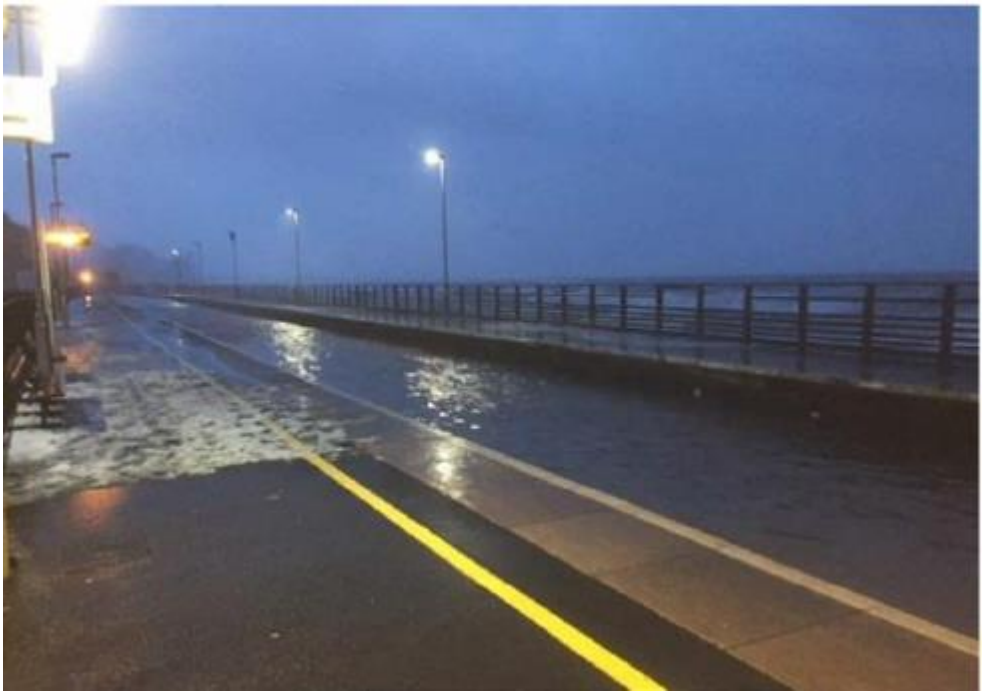
Economy

I. Work on the sea wall has boosted the local economy. By the time Marine Parade has finished, NR will have spent almost £5m on local labour, materials and accommodation.
II. NR expect to spend even more locally potentially double that while constructing the remaining section of the wall.
III. Blockages on this section of the line prevent any operation of the railway network to the south west, impacting Newton Abbot, Plymouth, Torquay, and Truro etc.

Biodiversity

I. Marine wildlife traps, and habitat niches in the basin area.
II. Enhancement to the pocket park

1.131. This application relates to a unique case where there is an operational station building and associated railway track in an exposed location immediately adjacent to the sea. Whilst the proximity to the sea results in a distinctive and high quality visual experience for users, and makes a positive contribution to the tourism role of the town, it also generates a threat to the function and operation of the station during extreme weather events. As a result of climate change these events are predicted to increase in intensity and frequency. The storm event in 2014 when the railway had to close for 6 weeks provides evidence of the impact that the elements can have on the operation of the railway. Network Rail have also provided photographic images of the track bed and station platform being flooded as a result of wave overtopping, as can be seen below:



1.132. When the track is flooded it is not possible to run trains along this section of the line and through the station beyond to south Devon and Cornwall. This results in closure of the line and a need for busses to be used to move passengers along this stretch of the network or cancellation of train services. Some cancellation of train services occurs during most winters.

1.133. The key public benefit from this proposal is the increased protection that will be provided to the railway network, including the station. The development that is proposed would enable operation of this section of the network and the station to continue for the next 100 years. This will secure the long term future and operational capability of both the railway and the station building. Without this intervention given the projected sea level rises resulting from climate change, the operational ability to run the railway and to maintain the fabric of the station would be at risk. This proposal would secure the optimum viable use for the purpose built station building which has been on this site for 145 years.

1.134. The Peninsular Rail Task Force (PRTF) has written in support of the application. They advise that the closure of the rail line for 6 weeks in 2014 was a significant disruption to passengers and had an estimated cost to the South West Economy in excess of an estimated £1.2billion. They believe the proposed investment will give businesses, communities and visitors confidence in the rail network, which will support inward investment.

1.135. The public benefit from the proposed development would be significantly greater than district wide as this is the only rail line to the south west serving Cornwall, Plymouth, Newton Abbot and Torbay. The economic impact to this area including to tourim would be high if the railway line was not operational.

1.136. NR have identified that there would be benefits to the local economy during the construction phase which is understood to be around 2 years, from both the use of local labour and local companies to supply products. They have advised that the budget for this phase of the development would be approx. double that of Marine Parade and therefore they expect to invest around £10million locally which would be a notable benefit to the local economy. It is noted that the PRTF advise that “the South West economy has been hit disproportionately by the impacts of COVID 19, with 7 of the 20 worst affected districts in the UK.”

1.137. There would be some heritage gain as a result of the proposal. The reinstatement of the downside platform building in its entirety would provide a public benefit through an improvement in facilities for users of the station. The downside building at the station is in a poor state of repair and the rooms here are currently unusable. There has been water penetration and constant wave action from the sea has meant that the windows have been protected by perspex which impacts the external appearance of the building. Restoring the station, and bringing these rooms back into use is a clear public benefit.

1.138. In initial pre application discussions with NR the new accessible footbridge was not included in the development scheme and had not been included in the funding from the Department of Transport. Following a request for provision of a bridge to incorporate a lift from the Town Council NR have sourced the relevant funding of £6m from their budget. The improvement in accessibility at the station would be an important public benefit.

1.139. NR has confirmed that the proposed development has committed funding from the Department of Transport and therefore if Prior Approval is granted there is certainty that it will be delivered.

1.140. In this report it has been identified that the proposed development would result in substantial harm to the station building, its setting and to non-designated heritage assets including the Boat House and Coastguards footbridge which contribute to the setting of the listed station building. The proposal would also have a harmful impact on the appearance and character of Dawlish Conservation Area through the significant change to the appearance of the southern elevation of the station building, and the visual intrusion of the pedestrian bridge adjacent to the Colonnades and the height and scale of the accessible bridge at the station.

1.141. The identified substantial harm to the listed station building and its setting carries great weight in the decision making process. Similarly ensuring that this sustainable method of transport can continue to operate carries significant weight. Officers conclude that there is a clear and convincing justification for the proposed development. Put simply it is needed to continue to run the railway and to protect the station building from wave action. There are many public benefits of the development which have more than district wide significance as providing protection to this stretch of the railway impacts connectivity to the country to the south west of Dawlish. Conversely although the development would create substantial harm to the station building it would also ensure its longevity for the next 100 years, and enable it to continue in its existing use. For this reason it is concluded that the public benefits would materially outweigh the harm to the listed station building and the Dawlish Conservation Area.

f) Can the benefit of the development be delivered in other less harmful ways?

1.142. A number of recommendations have been identified which would reduce the harm of the development to heritage assets. Both HE and the Council's Conservation Officer have suggested that the design of the accessible bridge at the station and the materials used could be more sympathetic to the station.

1.143. NR have revised the design of the footbridge adjacent to the Colonnades viaduct which will remove the solid parapet walls and replace them with visually lighter sides.

1.144. HE have drawn attention to the reuse of the former gas standards and the heritage gain that would result from this. NR have confirmed their commitment to achieving this, and have included the principles of how they could be re-used. Agreement of a detailed scheme for re-use would need to be addressed by condition.

1.145. The Council's Conservation Officer has suggested three alternative ways of treating the new sea wall adjacent to the station to ensure that the historic value of the existing sea wall is respected. He qualifies these recommendations on the basis that; "in all cases, whatever solution is adopted, the extra relief will add interest, and highlight history, to an otherwise monumental and unrelieved sea wall, whose obscuration of the town, impact on the conservation area, and transformation of the setting will all tend to the monotonous". These are (in descending order of design benefit);

- The panels to the sea wall, from the boundary with the listed building area, up to the Coastguard Breakwater should be limestone, not concrete. Where the lower area of the Coastguard's bridge abutment and stair is lost to the raised sea wall the panels should be fabricated in relief that the 'ghost' of the lost lower area, with its quoined buttress, paired-and-keystoned lancet windows, its handrail coping, and plinth echoes the buried structure within.

- The panels representing the lost lower abutment and stair, with its quoined buttress, paired-and-keystoned lancet windows, its handrail coping, and plinth only should be in limestone; the sea wall, as elsewhere continues in concrete.

- The panels should remain in concrete but be fabricated in high contrast relief: colour, texture etc., such that the 'ghost' of the lost lower bridge abutment and stair, with its quoined buttress, paired-and-keystoned lancet windows, its handrail coping, and plinth, echoes the buried structure.

1.146. NR have been asked to respond to these recommendations, and their comments are awaited and will be reported.

1.147. The extent of the harm to the heritage assets identified above is due principally to the scale and form of the new sea wall that is needed to provide protection to the railway line and the design life of the scheme of 100 years. NR have evaluated alternative solutions to provide resilience to the railway such as off shore breakwaters and have discounted these due to cost and because any off shore solution would still necessitate improvements to the sea wall, continuing to raise the issues addressed here. NR's evaluation of alternative approaches is comprehensive and is supported by a detailed Options Selection Report. It is not considered that there is an obvious alternative design solution for the form of development proposed.

1.148. In conclusion, NR have submitted a detailed justification for their selection of a new higher sea wall to increase the resilience of the railway line. Given the requirement that the scheme delivers resilience for 100 years it is difficult to argue that an alternative form of wave protection would be viable and preferable.

1.149. There are however opportunities to achieve a form of development that is more sympathetic to heritage assets. The Council's conservation officer has made three alternative suggestions on how the new wall could be sympathetically detailed adjacent to the station. In addition the proposed accessible lift bridge would be a substantial structure and the detail of this is an important consideration. These issues need to be resolved before a conclusion can be reached on whether the benefits can be delivered in less harmful ways.

Flood Risk and Drainage

1.150. The application site includes the point where Dawlish Water, which is classified as a main river by the Environment Agency (EA), discharges to the sea. Prior to Dawlish Water entering the sea it passes through an existing culvert beneath the promenade.

1.151. A flood risk assessment (FRA) has been submitted in support of the application. This identifies that the site is partially located within Flood Zone 3, which carries the highest level of risk. It notes that flooding from the sea has occurred frequently in the area. In addition the proposal is partially located within the functional flood plan (Flood Zone 3b) of a main river. The TDC Level 1 Strategic Flood Risk Assessment (SFRA) defines all land in Flood Zone 3 to be considered as functional floodplain until demonstrated otherwise by an FRA or other study. In addition parts of the site are at high risk of fluvial (from a river) flooding. The EA's 'Risk of Flooding from Surface Water mapping indicates that much of the site is at low risk of surface water flooding. The FRA states that the site is considered to be at low risk from pluvial flooding, sewer flooding, groundwater flooding.

1.152. Designation within Flood Zone 3 means that the annual probability of the site being flooded by a river or sea is more than 1 in 100, i.e. there is 1% or greater probability of flooding from rivers or 0.5% or greater probability of flooding from the sea flooding in any given year.

1.153. When considering proposed development within a flood zone it is necessary to consider the vulnerability classification of the development as defined in the National Planning Practice Guidance (NPPG). In this case the station access, platforms and footbridge are considered to be 'Essential Infrastructure'. As part of the site is within Flood Zone 3b it is necessary to apply both the sequential test and the exception test to assess whether the development is acceptable in flood risk terms.

1.154. In the submitted FRA it is concluded that the development passes the sequential test because essential infrastructure uses are elevated out of the fluvial floodplain. In addition, the proposed flood defences will provide a significant reduction in flood risk from the sea to the site. It concludes that it also passes the exception test because the development would provide wider sustainable benefits to the community and the essential infrastructure would remain above fluvial flood levels and would reduce overtopping from the sea for the 100-year lifetime of the proposed sea defences. The development is designed to reduced flood risk overall for all users.

1.155. Officers agree with this position for the reasons set out.

1.156. The TDC SFRA identifies Potential Flood Risk Areas, which are areas outside the EA Flood Zones but with an estimated 1% probability (or 1 in 100 years or greater) flood extent. This shows that parts of the site are at risk of flooding from river and sea sources.

1.157. In the FRA the probability of surface water flooding has been assessed using the EA Surface Water Flood Risk mapping, and various site information. The majority of the site has a low probability of surface water flooding. There is a high likelihood of localised flooding at Colonnades underbridge.

1.158. It is relevant to consider that climate change will impact the risk of flooding. In terms of flood risk from the sea the Environment Agency Coastal Flood Boundary Dataset (CFBD) shows that:

I. The current day Mean High Water Springs water level is approximately 2.2mAOD with a 1 in 1-year water level (including surge) of 2.8mAOD. By 2065 these levels will have risen to approximately 2.6m and 3.2mAOD respectively rising to 3.1m and 3.7mAOD in 2115.
II. Current wave heights are 2.55m for a 1 in 1-year storm and 4.00m for a 1 in 200-year storm. The projected 2115 wave heights with climate change are 2.61m for a 1 in 1-year storm and 4.24m for a 1 in 200-year storm.

1.159. The existing promenade level ranges between approximately 3.7 and 3.9m AOD. At the colonnade, ground level lowers to approx. 3.3mAOD and falls back towards the colonnade underbridge, which is at a level of between 2.9 -3.25mAOD approx.

1.160. Due to the relative levels of the ground and the sea, the existing promenade and in particular the colonnade area can be expected to experience frequent flooding from the sea in the current day; indeed, this flooding is known to occur. By 2065, the area will be regularly flooded by still water levels.

1.161. Current day severe storms impact the railway at 6mAOD and the platforms at 7mAOD approx. resulting in flooding and closures of the railway. With climate change this will occur more frequently.

1.162. The proposed sea wall would significantly reduce the frequency and severity of overtopping incidents. Both numerical modelling and physical modelling have been carried out to confirm that the proposed development would meet overtopping performance criteria relating to reduction in flood risk from the sea due to wave overtopping.

1.163. Encroachment of approximately 2,260m² into the tidal flood plain is proposed as a result of the sea wall construction. In addition, the proposed public realm at the colonnade will result in encroachment into the tidal flood plain of approximately 620m². In the FRA it is stated that the resulting reduction in tidal flood storage is considered negligible.

1.164. In terms of existing surface water drainage arrangements, there is a total of fifty-four outfalls through the existing sea wall, most of which lead from the track ballast on the railway line. A number are blocked or connect to a redundant drainage system, however the majority drain the track directly onto the existing promenade. In addition, around a hundred outfalls placed approximately 1m above the level of the track also drain to the promenade.

1.165. The promenade slopes towards the sea and surface water flows overland to the beach. Low level weep holes at approx. 1mAOD connect to the beach at approx.6m spacing towards the east end of the site. These are assumed to be retaining wall drainage.

1.166. In the proposed development widening of the existing station platforms is proposed to improve passenger safety and experience. Small modifications will be made to the platform levels to facilitate drainage away from the tracks and into dish channels or covered drains. Drainage outfalls will be provided through the new sea wall which connect to new seaside track drainage and the existing track ballast drainage at the station. The new landside platform and access drainage will connect to the existing car park drainage system. Increase in catchment area drainage to Dawlish Water has been determined to be negligible.

1.167. There is an EA requirement not to impact flows from Dawlish Water, however flooding from the river source does not impact rail operations and therefore is not a focus for this scheme. The scheme has no remit to improve the existing fluvial flood condition that occurs on the site. However, it is important that fluvial flood risk is not increased as a result of the proposed development. This is achieved by providing increased flow capacity in the proposed extension of the Dawlish Water compared to the existing culvert and channel. The proposed extension to the existing Dawlish Water outfall culvert on site provides increased capacity to allow the existing culvert to be upgraded in the future.

1.168. Flood risk management measures are necessary for the residual fluvial risk after the development is complete. As outlined in the NPPF, it is imperative that the proposed development is designed to be safe and that safe access and egress are provided.

1.169. The areas where flood related risks will remain are as follows:

I. Fluvial flood risk will remain in the Dawlish Water flood plain. The colonnade underbridge is located within the flood plain.
II. Flood risk from the sea will remain high in the lower public realm area at the colonnade and this will continue to flood regularly.
III. Overtopping is expected to affect the promenade and station in severe flood events from the sea.

1.170. Fixed warning and escape route signs are proposed on the landward side of the railway at the Colonnade Viaduct and Coastguards Bridge to inform the public about flood risk.

1.171. The Environment Agency has confirmed that they have no objection to the proposed development and advised that before the works around the Dawlish Water culvert and stilling basin can commence a Flood Risk Activity Permit (FRAP) will be required. They have also advised that they consider the redesigned Dawlish Water Basin and the proposed works as a whole should deliver a Biodiversity Net Gain for intertidal habitat. They make a number of recommendations for this which are;

I. Addition of some artificial rock pools or ‘verti-pools’ to walls (where there is reduced wave energy);
II. Some rock pools should be shaded and more inaccessible to predators (such as gulls);
III. All wetted surfaces to have a rough surface (large surface area) to encourage colonisation by algae and small organisms;
IV. Inclusion of some cavities/voids to provide niche refuge for crevice dwelling organisms;
V. Addition of some sinuosity/meandering as well as width and depth variation to the central low tide channel to look more natural and improve habitat;
VI. Make the steps curved or less uniform (for same reasons stated above).

1.172. The Lead Local Flood Authority (Devon County Council) has advised that as the site falls within a coastal area, it would be outside of their remit.

1.173. The TDC drainage and coastal manager has requested details of the general principles of the track and promenade drainage be submitted in support of the proposed development, and advised that the detailed specification of this drainage could be agreed by condition.

1.174. In conclusion, the proposed development would protect the application site from wave overtopping and would therefore reduce the risk of flooding from the sea. This would provide additional protection for travellers using the station. There is an existing risk of flooding from Dawlish Water, and the proposal would not make this situation worse. It is considered that it is not reasonable to expect Network Rail to reduce flooding from Dawlish Water as part of their application and it is the responsibility of the EA to manage existing fluvial flood risk. The proposal passes the Sequential ad the Exception tests. Subject to the imposition of a condition relating to submission of details of surface water drainage from the railway track and promenade the proposal would be acceptable in flood risk terms.

Impact on Biodiversity

1.175. The relevant biodiversity features at the site that need to be considered are;

1.176. The application site is not located within a European site, however consideration needs to be given to the nearest European protected sites associated with the Exe estuary. These are the Exe Estuary Special Protection Area (SPA) and Exe Estuary Ramsar site which are both 1.6km away. The Dawlish Warren Special Area of Conservation (SAC) is 2.2km away.

1.177. Dawlish Cliffs SSSI is located adjacent to the northern end of the station car park, and also includes the pocket park. The SSSI covers the area of cliffs from Coryton to Langstone Rock. It is designated for its geological qualities and shows one of the finest continuous exposures of interbedded Aeolian sands (Dawlish Sands) and water-laid, breccia-filled, fluvial channels of Permian age in the country.

1.178. On the beach there are aggregations of Honeycomb Worm (Sabellaria alveolata. This is classed as a 'feature' of principal importance for the purpose of conserving biodiversity, as listed under Section 41 of the Natural Environmental and Rural Communities (NERC) Act, (2006).

1.179. An ecological impact assessment (EcIA) and Habitat Regulation Assessment (HRA) have been submitted in support of the application. The EcIA identifies the principal habitats, key species likely environmental constraints and initial recommendations for mitigation measures. Both an intertidal biotope survey and an extended phase 1 habitat survey were undertaken as part of this process. The main findings of these surveys were that:

- Common terrestrial and intertidal habitats were recorded during the Extended Phase 1 Habitat survey, and terrestrial habitats within the site boundary are not of significant ecological value in their own right.
- Intertidal mud/sand habitat within the survey boundary may support foraging and roosting birds such as waders and waterfowl. Species which could use the habitats on site and in the general area could include waterfowl assemblage qualifying species of European Sites.
- The site is often disturbed by the public (public beach) and is of lower quality for foraging bird species, suggesting that the site would be used infrequently and by insignificant numbers of roosting or foraging birds.

1.180. It is identified that there are potential pathways for impacts to the statutory designated sites: Exe Estuary SPA and Ramsar site, and Dawlish Warren SAC, due to hydrological connectivity, and suitable habitats in proximity to the site for mobile qualifying features. Exe SPA, and Ramsar site are the closest of these sites at 1.6km north east. Potential effects on the terrestrial features of the SAC/Ramsar site would be limited to changes in water quality, as a result of pollutants or high sediment load in surface water run-off from construction areas. In addition the proposed works could result in disturbance to qualifying bird species (particularly as a result of piling activities), if they are using nearby habitats.

1.181. In terms of terrestrial impact in the conclusion the following actions were recommended in addition to construction environmental mitigation measures which will include standard pollution control measures;

- Ensuring no nesting birds are present within the station structure i.e. walls and pipes, prior to works in this area.
- Sensitive vegetation clearance to avoid impacts to reptiles.
- Obtaining protected species licences from NE, where required i.e. if any bat roosts confirmed, and or removal of pigeon nests required.

1.182. The opportunities for enhancements are identified through creation of a pocket park, biodiversity provisions within the Dawlish Water basin and through bird / bat boxes or features which could provide nesting/roosting opportunities.

1.183. In respect of marine impact the Intertidal Biotope survey overall conclusion was that the marine habitats and species present within the survey boundary are generally commonly occurring and of lower importance. The presence of Sabellaria reef is more notable, but not linked with any European Site feature.

<u>The Recommendations are;</u>

i. Construction Environmental Management Plan (CEMP) integrating pollution prevention measures, barge, plant and materials management to avoid smothering of rocky outcrops and restoration of the beach to its current profile following temporary works.
ii. Marine Transit Routeing Plan.
iii. Biosecurity Management Plan.
iv. Pre- and post-construction Sabellaria alveolata condition surveys.

1.184. It is advised that integration of pollution prevention guidelines will be essential to avoid impacts on sensitive marine habitats and mitigation measures are to be provided to avoid access to sections of the mid- to lower shore where trafficking of vehicles may directly impact Sabellaria alveolata. No direct impacts to Sabelleria alveolata are anticipated as works will be restricted to the sea wall and upper beach only. This requires a Marine Transit Route being prepared and followed to ensure that the barge access does not affect the rocky outcrops.

1.185. The NR HRA screening assessment concludes that a likely significant effect on the European protected sites can be excluded. Consequently, the Project is not considered to be contrary to the provisions of Regulation 63 of the Conservation of Habitats and Species Regulations 2017.

1.186. In their initial consultation response Natural England (NE) requested further information to better inform the assessment of impact from the proposed development. They raised concerns about potential significant effects on the dune system associated with the Dawlish Warren Special Area of Conservation (SAC), and bird assemblage associated with Exe Estuary Special Protection Area (SPA)/ Exe Estuary Ramsar, and Dawlish Warren Cliffs (SSSI). They advise that the Local Planning Authority will need to undertake a Habitats Regulation Assessment (HRA) before determining this application. Further information is requested in respect of:

I. Whether wave reflection would cause indirect erosion impacts upon Dawlish Warren SAC dune system.

II. potential noise impacts during the construction phase upon bird species associated with the Exe Estuary SPA and Exe Estuary Ramsar

III. More detail is required to understand potential impacts to Dawlish Cliffs SSSI, and detailed measures to prevent impacts.

IV. A phase 1 habitat survey of the pocket park is required to interpret the value of the "pocket park" and how this relates to features of the SSSI.

1.187. NE recommends that a detailed Construction Environmental Management Plan (CEMP) will be required and possibly a Landscape and Ecological Management Plan (LEMP) if mitigation measures are proposed.

1.188. In respect of marine biodiversity the proposal to include a 'Marine Transit Routing Plan' within a submitted CEMP which will have the potential to reduce impact by activities of the jack up barge upon Sabellaria alveolata is supported as is the inclusion of biodiversity enhancements within the Dawlish still basin. It is also recommended that biodiversity net gain from the proposal should be delivered.

1.189. NR have submitted further supporting information in a technical note. This provides the following clarity;

1.190. At the closest point, the proposed works and Dawlish Warren are separated by a distance in excess of 2km and any impacts of wave action on dune habitat at Dawlish Warren SAC will be imperceptible.

1.191. Rotary drilled piling techniques will be used. This type of bored piling operation is not particularly intensive regarding noise or vibration, and importantly it is fairly constant in its noise emission, not impulsive, with impulsivity being important in relation to startling reaction of birds. Noise levels corrected to a 50m position would be approximately 61-67dBLAeq which is well within typical construction noise limits. It is advised that control measures to include the use of noise insulating blankets around Heras fencing at the base of the piling rig which can greatly reduce potential effects at source could be included in the Construction Environmental Management Plan (CEMP) that will be secured by planning condition. It is noted that Dawlish beach is already subject to a level of acoustic and visual disturbance factors. The existing railway generates noise from train movements, including both passenger and freight trains.

1.192. It is NR's opinion that as the Project is not subject to a planning application being permitted development, Network Rail are the competent authority for terrestrial elements of the project alongside the MMO for marine elements.

1.193. No mitigation required to avoid, reduce or cancel potential effects on European Site features has been included in the proposal. Consequently Appropriate Assessment is not required.

1.194. NR will apply to NE for SSSI assent. The SSSI assent will include field survey information that describe the current conditions of the habitat within the proposed pocket park area and how these relate to features of the SSSI along with details of measures to restore geological exposures.

1.195. NE have responded and advised that on the basis of the additional information they are satisfied with the submission. They recommend that the Council checks who the competent authority is for the purposes of the HRA assessment. Advice from the Council's Solicitor has been sought on this point.

1.196. The Council's biodiversity officer has not raised any objection to the application.

1.197. In conclusion, Network Rail have demonstrated that they will be able to implement the development without causing harm to protected species, subject to the imposition of a robust construction environmental plan (CEMP) to ensure that the development is carried out in an environmentally appropriate way. Submission of this detail can be addressed by condition. There are opportunities in the development to enhance biodiversity through improvement of the pocket park, incorporation of artificial rockpools and crevices at Dawlish Water basin and inclusion of bat/bird boxes/bricks around the station. These biodiversity gains will not meet NE's suggested level 10% net gain, but as this is a prior approval application rather than a planning application it would not be appropriate to require this. It is considered that there would be sufficient biodiversity enhancement from the development to conclude that the proposal would be acceptable in this respect.

Impact on Beach Levels

1.198. The same coastal morphology report submitted for the Marine Parade works has been submitted for this application with an additional technical note. Members may recall that in the original morphology report it stated that as sea level rises, greater wave energy will reach the beach and the sea wall and the rate of beach/sediment loss will increase until the remaining material has been removed to bedrock. Analysis of the beach profile data indicates that erosion of the underlying bedrock is at a rate of about 0.02 m/year which would continue. The slight advancement and increased height of the sea wall will marginally increase the amount of wave reflection. The increase in reflection has the potential to increase the rate of toe scour; and slightly faster erosion of the existing beach would occur, exposing the bedrock over a shorter period. This change is only likely to be noticeable in the estimated time scale of 1-2 years following construction.

1.199. The additional technical note is shorter and more generalized, concluding that the average beach encroachment from the proposed development along Coastguards to Colonnades frontage would be less than 3m including the localised areas where beach encroachment is greater than 3m. Given that beach lowering is a global process, it is considered that the effect of the localised advancement incurred with the proposed scheme is negligible with respect to the on-going erosion processes in the Coastguards to Colonnades frontage and therefore, additional coastal modelling is not required.

1.200. The three localised areas that are referred to are the area of the new ramp adjacent to the station where the development would project between 3 and 7 metres for a length of 22 metres, where the new accessible footbridge would be sited the proposed wall would project between 3 metres and 8.6 metres for a length of 47 metres and adjacent to Colonnades Breakwater the advancement would be to a maximum of 8.6m for a length of 47 metres. In all these areas the further the advancement of the new wall the greater the water depth would be at the wall, and the greater the change would be compared to the current situation. In all these areas the increase in water depth would be greater than 5% which is the level in the report identified as can be considered negligible.

1.201. It is considered appropriate, given the original coastal morphology report identified that construction of a new sea defence wall could increase the rate of loss of the beach and the extent of the areas where the change in water levels would be greater than 5%, to impose a condition requiring the rates of erosion of beach levels to be monitored and should they exceed the forecast levels that an intervention is carried out. The reason for this is the important role that the beach plays in the tourism.

Impact on Amenity of the Occupiers of Surrounding Properties

1.202. At the northern end of the application site, on the opposite side of the railway properties at The Watch House and the most southern Coastguards cottages look out over this stretch of the railway line, including the Coastguards breakwater and the Boat House. All these properties are at a higher level than the application site and separated by the railway line. Given the difference in levels there would be no una impact on residential amenity as a result of the proposal.

Conclusion

1.203. In conclusion, this is a major development that would notably change the appearance of the area around the Grade II listed station and stretch of railway line to Coastguards Breakwater, particularly from the southern (beachside) of the railway. The design criteria of providing resilience for the railway line and station building for a period of 100 years has delivered a scheme that would increase the height of the sea wall by approx. 3.1m and change the low level promenade to a much higher level, physically separating it from its proximity to the sea. It would necessitate demolition of a non-designated heritage asset (the Boat House) and permanent change to the grade II listed station, the coastguard's footbridge and the Dawlish Water basin. The new accessible lift bridge which would provide much improved access at the station but would be substantially taller than the existing buildings making it prominent in views across the northern part of the station. By reason of the scale and form of development it is evident that the proposal would have a negative impact on the amenity of the area.

1.204. Having assessed the significance of the heritage assets and the effect of the proposal on these assets it is concluded that the development would result in substantial harm to the designated heritage assets and would also be detrimental to the appearance and character of Dawlish conservation area. Network Rail has provided justification for this level of harm by explaining that the objective of the development is to provide resilience to the railway network which currently fails in extreme weather conditions for the next 100 years. They have an explanation of how they reached the design solution for the development and the alternative design solutions that were considered. This is considered acceptable.

1.205. By law, the conservation of heritage assets must be given great weight in the decision making process. However, national planning policy does allow for substantial harm to heritage assets where that harm is necessary to achieve substantial public benefits that outweigh that harm.

1.206. From the information submitted in support of the application it is concluded that the design of the development is not capable of sufficient adjustment to avoid or significantly reduce the harm to heritage assets.

1.207. There are considerable public benefits that would result from the development. A key economic benefit would be the continued operation of this stretch of the railway line that serves the south west of Devon and Cornwall. At the request of Dawlish Town Council £6 million would be spent on providing an accessible lift bridge. The impact of the proposal on the listed station would be high causing the entire lower ground floor to be encased in a concrete wall that would not by sympathetic to the design or existing material palette However, conversely, the proposed alterations would preserve the building and enable it's continued optimum use as a station. There would be a number of heritage gains including through the refurbishment of the buildings on the downside platform.

1.208. The judgement on whether the public benefits outweigh the harm to designated heritage assets is a matter for the decision maker. It is officer's opinion that in this case it does, particularly as the benefits are far greater than district level.

1.209. There are a few outstanding issues that need to be addressed by NR which include the design and materials for the accessible lift bridge anddetailing of the proposed wall adjacent to the station building.

1.210. In terms of consideration of the proposal under Part 18 of the General Permitted Development Order 2015, subject to the satisfactory resolution of these matters, it is concluded that the design and scale of the proposed development would inevitably impact the amenity of the neighbourhood, but following the revisions to the scheme such as amending the appearance of the link bridge to Marine Parade, it is not capable of further modification to avoid injury to the amenity of the area and therefore the recommendation is that Prior Approval should be granted subject to the conditions set out at the beginning of the report.

4. PLANNING HISTORY

1.211. The relevant applications are;

- 19/02099LBC Refurbishment and modernisation of internal waiting area, LBC granted 17.01.20
- 17/02090LBC Installation of sixteen fixed focus CCTV cameras in dome enclosures, LBC granted 16.02.18
- 17/02025/LBC Addition of two radio microphone antennae, LBC granted 04.10.17
- 13/01290/DEM Demolition of signal box, may proceed 23.05.13
- 12/03594/LBC Retention of portal frame to the footbridge, granted 22.01.13
- 11/02347/LBC replace station footbridge span, dated 13.09.2011

1.212. The following application at Marine Parade is also relevant;

19/00237/NPA 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 a new taller sea wall and wider promenade between Boat Cove and the Breakwater as part of the south west rail coastal resilience programme. Prior approval granted 26.04.19

5. POLICY DOCUMENTS

5.1. This application is not a planning application and no reference is made to the development plan in the procedural requirements. In this regard normal statutory requirements for planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise is not therefore engaged. In allowing development under local or private Acts or Order the Government accepts that such development is acceptable subject to a limited number of criteria being considered.

5.2. Whilst, there is not a requirement to determine the application in accordance with the development plan, and the relevant policies cannot be considered decisive, by themselves, it does provide a useful resource and information on which to make an assessment.

5.3. The relevant policy documents are;

- The Teignbridge Local Plan 2013-33
- National Planning Policy Framework February 2019
- Planning Practice Guidance

6. CONSULTEES

Historic England

The works will have a significant impact on the experience of the seafront within the conservation area and its relationship to the railway. The council will need to ensure that the scheme is robustly justified, including consideration of alternative means to deliver the scheme.

The works will alter the visitor's experience of the historic seaside resort in view of the seafront and the historic connection of the town to the beach. It will also impact on the station building, through the loss of part of its platform but also a significant change to the setting of the station.

Sub-frontage A: The Impact of the Proposed Works to Dawlish Water Basin
The creation of a larger formal public space at this point presents an opportunity to extend the public open space created by Dawlish Lawns through to the seafront. It is unfortunate that the designs of the new footbridge and the barrier along the sea front have a greater solidity than the existing viaduct and therefore diminish the open nature of the breach and the views through to the sea. We appreciate that the nature of the works demands a solidity to its design, but we would encourage consideration to be given through the design approach of providing a greater link to the sea.

Sub-frontage B: The impact of the proposed works to the South west of station;
This section of the proposal impacts on the significance of the station through a loss of fabric in the form of the columns and their distinctive visual contribution. The council need to ensure that clear and convincing justification has been provided for the resulting harm caused by their loss. Opportunities should explored to accommodate the columns in a more meaningful way related to the significance of the listed building.

Sub-frontage C: The Impact of the Proposed Works to the Station Station Complex
The proposed conservation works to the downside waiting room forms a clear heritage gain. Currently part of the sea-defence, the building is in a poor condition having suffered extensive damage from the battering of waves and extreme weather as well as a lack of maintenance. The proposed addition of the sea-defence presents an opportunity to bring this building back in to beneficial re-use….we would highlight the need for the council to give careful consideration to how the conservation focused stages of the proposed works will be secured through the planning process.

The main intervention is the proposed new contemporary footbridge intended to provide access for all. Located north of the station complex, consideration has been given to separating it from the main station complex and limiting its impact on views from the town, However, the two uprights squared lift towers form a significant and dominant structures within views of the station. This is further exacerbated by the choice of Patterned Glass Reinforced Concrete (GRC), the hard finish of which will add to the visual dominance of the proposed footbridge.

We appreciate that any structure in this location will need to be able to withstand the harsh maritime conditions. We would advise that further consideration is given to the design of the structure. This should aim to address the shape and hard finish of the proposed towers, whose upper sections would benefit from greater refinement in their design. This

could be through the choice of materials, colour and the creation of a greater texture or motif to break up the stark quality of the current design.

The Setting of the Station

The proposed new seawall/ promenade will run in front of the downside waiting room. This will result in the building being removed from its functional role as a part of the sea defence and will be a considerable loss of the building's significance. The proposals will also diminish the visual appreciation of the station from the beach and wider viewpoints as well as obscuring a number of interesting architectural features along its elevation.

It is not clear how ventilation will now be achieved to the external wall of the historic building, allowing it to breath and facilitating the drying out process, which is an identified benefit of the current proposals.

Sub-frontage D: The Impact of the Proposed Works to the North East of Station

This element of the proposal comprises the removal of the overhanging platform, which formed part of the 1875 phase of works and was then extended in the 1930s. This will result in the loss of the station platform and resulting impact on significance. Consequently, due to the loss of an element of the listed building sufficient robust information must be provided in order to assess the impact and determine whether there is sufficient justification for its loss.

Sub-frontage E&F: The Impact of the Proposed Works to Boat House Building and Coastguards Interface

The boathouse and the footbridge are identified as non-designated heritage assets and are located within the conservation area. The proposals comprise the demolition of the boathouse and would obscure the lower section of the bridge. As they are not listed we do not propose to comment in detail although we note that these early structures are connected to the railway and Coastguards, and are interesting structures in their own right, both contributing to the significance of the listed station (as derived from its setting) and the conservation area.

Seawall

The historic sea wall will be obscured by the current proposed scheme. Although not listed, it is a key element of the conservation area and its obscuration contributes to the impact of this scheme on the character and appearance and significance of the designated area.

The proposed reinstatement will link into the design previously consented along Marine Parade. This utilises concrete panels to construct the sea wall. In our view, careful consideration needs to be given to the treatment of the new construction around the key historic areas, including the station but also the basin area due to the direct visual link back into the conservation area. The choice and use of materials should seek to reflect a more traditional palette in terms of surface treatments and the finishes visible from within the space.

Policy

The NPPF clearly sets out that in cases where development will have an impact on the significance of a designated heritage asset, great weight should be given to the asset's conservation (Para 194, NPPF).

Where schemes do result in a conflict between the proposed development and the heritage assets, the NPPF advocates that opportunities are sought to avoid or minimise

the identified impact (NPPF, Para 190). It also positively encourages for opportunities for new development within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably (NPPF, Para. 200).

Where the impact cannot be avoided then the resulting harm needs to be clear and convincingly justified (NPPF, Para 194). This needs to also consider alternative options (NPPF, Para 190), to robustly ensure that the scheme can be demonstrated to be the least harmful while achieving similar public benefits. The onus is the local planning authority to rigorously test the necessity of any harmful works.

Historic England's Position

The proposed scheme constitutes a comprehensive change to the Dalwish Conservation Area and the grade II listed station.

The proposed scheme will have a range of impact on the conservation area and listed building including its setting. One of the most wide-reaching impacts is the impact of the new seawall on the character and appearance of the conservation area in terms of the appreciation of its seafront and its connection through to the town. It will also result in the loss of significance to the listed station, being no longer an integral part of the sea defence and having lost sections of its platform including the columns. The proposed new pedestrian footbridge will create a conspicuous addition to the station. Some conservation gain is provided through the repair and re-use of the downside waiting room, which will need to be secured through the planning process.

In our view there are a number of opportunities within the scheme where the harmful impact could be minimised through revisions to the design (NPPF, Para 190). This would allow for those elements of the affected asset that contribute to its significance to be better expressed 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.The scheme will 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. They should be confident that the need for the works have been clearly demonstrated

through the consideration of alternative options thus minimising the impact of the works on the historic environment.

Teignbridge District Council Conservation Officer- Key issues raised are;

The impact … is overwhelming in its scale and effects: all the vernacular character of the current sea wall, the lower-level promenade, the lower storeys of the seaward side of the downside station; the decorative elements to the coastguard footbridge, and the boat house will be lost. Either buried beneath the new sea wall, or demolished; for the listed structures the harm is substantial. The affect on the setting from the sea, and from the land, will be that views from the seaward side will be entirely different from that which they have been since the mid-19th century. The views from the landward side, both within and without the conservation area, will have a very different aspect towards the sea – from the upside platform passengers either seated, or alighting will have their views of the sea curtailed. The current permeability of the wooden railings on the seaward side of the down platform is considerable, allowing wide almost uninterrupted views to the sea and the adjacent coast and headlands.

The totality of the impact and change cannot be underestimated;… If the principle is acceded to that the change must take place, and the proposals implemented, to ensure the future of the line the only question is what redeeming mitigation can be achieved in parallel. …the simple test set out by the NPPF:
Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss (para 195).

Summary of Impact

The Sea Wall & New Promenade – Sub-Areas A-F
The result of the proposals will be that the old sea wall, and all its ancillary structures will be lost by being subsumed into the new structure. The new wall, brutalist in tone, monumental in aspect, with its outward recurve will resemble more an international border wall than the familiar frontier between sea and land that is the historic structure. The vernacular character of the present wall because of its use of local stone, its relationship with, and the physical geography of, the locale will be lost entirely; and the remarkable permeability that exists today between town and station, and station and sea will be a thing of the past.

The Stilling Water Basin adjacent the Colonnade Breakwater – Sub-Area A
The result of the proposals will transform the low unassuming character of the basin, almost part of the beach, into a visually obtrusive and far more integrated part of the mass sea defences, connected to the wall structures north and south, spanned by the new concrete viaduct bridge, and with ramps up to the downside platform and down to the beach.

Colonnade Viaduct – Sub-area A
It is not clear why the parapet walls need to be solid concrete here too, as they are no direct part of the sea defences and the new viaduct has three voids below.

The Downside Station – Sub-Area C

The new sea wall will bury the whole of the seaward 'Arsenale' side and the three returns (one at the south end includes a fine doorway and former access to the beach) which shape the station under-storey from being simply a part of the seawall's face, into a historical building in 3-dimensional form at this level. All under platform pier-posts, the re-used gas standards will be lost as part of the structure, though removed and re-used in 'wayfinding'(?).

The result of all the proposed works to the downside station is either total loss, or substantial harm to the existing structure and its setting. However, the sea wall, for all its aesthetic ungainliness is a 21st Century structure, it is appropriate that the new footbridge and lifts are too. It is very fortunately designed that there is sufficient room between them – even when tied together by the new secondary wall – allowing them both to breathe. It is a great pity that the attractive polygonal shape of the footbridge platform is not complemented by a slight batter to the outer sides of the lift towers, in an echo of the angled glacis of the station understorey, and sea wall.

The residual element of the downside station will be a single storey structure, tied to the secondary dividing wall, shorn of its lower storey; with the loss of the Arsenale setting from the sea it will be much shrunken. The proposed re-render will then remove all allusion to its former design and form. The station setting will be transformed, and whatever the greater benefits to the railway per se, not for the better: there will be a complete alteration of views to and from the station from town and beach. Though the railings are designed to allow some permeability to the structure, in truth they are an aesthetic gloss, though not unattractive, that will do very little to offset what is probably a unique and dramatic sea view from both sides of the station. This is further curtailed from the south part by the new bridge and lift towers. The loss and substantial harm are manifold and obvious, however necessary the sea wall and all its ancillary components are.

The Coastguard Footbridge and Life Boat House – Sub Area E

The impact on the footbridge abutment is similarly to that of the sea wall on the lower storey of the downside station: lost behind the 6-7m width of infill between the new wall and the old; its handsome plinth and decorative paired lancet windows buried, and much diminished as a structure….The proposal for the boatshed is simply demolition, even with the slight lowering of the height of the new sea wall here, the raising and infilling would come to present eaves level (see elevations as above for the footbridge).

<u>PROPOSED MITIGATION</u>

General Mitigation

I. Podiums and viewing areas in the new basin;
II. Heritage Interpretation boards;
III. Discrete new seating, variously concrete, limestone (re-used), or granite; and
IV. Marine wildlife traps, and habitat niches in the basin area.

Specific Mitigation

I. The re-use of material from the Lifeboat House
II. Reuse of the Pier Posts/gas lamp standards
III. Building Recording
IV. The New Footbridge (A major addition to the original scheme)
V. The conservation of the Downside Waiting Room

The Re-use of Material from the Lifeboat House:
'To reuse some of the material within the locality as part of the new landscape. This is the one area of mitigation which is actually under emphasised…seating type 2 will be reclaimed limestone and will be used to delineate the footprint of the boathouse building as well as some of the proposed seats in front of the station building.

The Re-use of the Gas Lamp Standards*:*
'To be retained on site and to be used as part of the Wayfinding Programme'. There is no further definition of that programme in any of the application submissions.

Building Recording*:*
The Sarah Dyer Photo Recording (SDPR) reports have already been completed; they cannot be seen as mitigation, only a part of the application. In any case the NPPF makes such recording a requirement: 'the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted' (para 199).

The New Footbridge with Step-free Access:
A major addition to the sea wall programme, it nonetheless brings with it its own impact, to the station and its setting.

The Conservation of the Downside Waiting Room*:*
…the mitigation for the station, with exception of the details set out in the application, such as platform paving (Details sheet 1, drawing 000041), and the raising of the station doors (Interface Details sheet 01, drawing 000040), remains aspirational and in the HS it is fundamentally couched in the conditional language of recommendations.

<u>FURTHER CONSIDERATIONS OF IMPACT AND MITIGATION</u>

physical fabric survives of Brunel's 1846 atmospheric pumping house in the car park. The car park site, while not the focus for any development itself, is earmarked to be the construction compound. The volume of stored material, deliveries and road movements will be of a much greater scale, and the potential for impact upon the fragile relict structures is very high. A full survey of the Brunel survivals, and a method statement for their protection during the construction programme, incorporated into a Construction Environment Management Plan (CEMP) is essential – as is their subsequent conservation and interpretation.

Proposed Sections I & J (drawings 000105-106) show the proximity of the piles to the downside station…consideration should be given to the potential impact on the station, and those different elements at the different chronological interfaces, where the structural integrity will vary: the two sea walls of 1846 and 1875, the aesthetically poor and later concrete and metal frame roof etc…While this will doubtless be addressed in a future Construction Management Plan (CMP) it should also be considered as part of the formal building condition survey with specific request for the impact of piling.

CONDITIONS Recommended to be Attached to 20/00933 NPA

CONDITIONAL MITIGATION

Similarly, outside the area of the listed building application Historic England's concerns remain re. the choice and use of materials; and again, the same three solutions, from maximalist to minimalist, apply:

1. The panels to the sea wall, from the boundary with the listed building area, up to the Coastguard Breakwater should be limestone, not concrete. Where the lower area of the Coastguard's bridge abutment and stair is lost to the raised sea wall the panels should be fabricated in relief that the 'ghost' of the lost lower area, with its quoined buttress, paired-and-keystoned lancet windows, its handrail coping, and plinth echoes the buried structure within.
2. The panels representing the lost lower abutment and stair, with its quoined buttress, paired-and-keystoned lancet windows, its handrail coping, and plinth only should be in limestone; the sea wall, as elsewhere continues in concrete.
3. The panels should remain in concrete but be fabricated in high contrast relief: colour, texture etc., such that the 'ghost' of the lost lower bridge abutment and stair, with its quoined buttress, paired-and-keystoned lancet windows, its handrail coping, and plinth, echoes the buried structure.

In all cases, whatever solution is adopted, the extra relief will add interest, and highlight history, to an otherwise monumental and unrelieved sea wall, whose obscuration of the town, impact on the conservation area, and transformation of the setting will all tend to the monotonous.

Environment Agency

We have no objection to the proposed development in terms of siting and appearance. However, before the works around the Dawlish Water culvert and stilling basin can commence a Flood Risk Activity Permit (FRAP) will be required. An informative setting out the need for a FRAP along with advice about the information required to support an application for a FRAP and ecological enhancements are set out below;

Advice – Ecological Enhancement

a) We are supportive of the basin concept as an ecological enhancement but we would use this opportunity to reiterate that we consider the proposal (and certainly the South West Rail Resilience Programme as a whole) should deliver a Biodiversity Net Gain for inter-tidal habitat.
b) To ensure that the proposal for the stilling basin maximises opportunities to achieve ecological enhancement we would suggest incorporating the following improvements to the basin design where possible:
c) Addition of some artificial rock pools or 'verti-pools' to walls (where there is reduced wave energy);
d) Some rock pools should be shaded and more inaccessible to predators (such as gulls);
e) All wetted surfaces to have a rough surface (large surface area) to encourage colonisation by algae and small organisms;
f) Inclusion of some cavities/voids to provide niche refuge for crevice dwelling organisms;
g) Addition of some sinuosity/meandering as well as width and depth variation to the central low tide channel to look more natural and improve habitat;
h) Make the steps curved or less uniform (for same reasons stated above).

Natural England

Your authority will be required to carry out a Habitats Regulations Assessment (HRA) and this will need to be based upon a sufficient level of certainty and detail regarding potential impacts. Potential mitigation measures will need to be sufficiently detailed and underpinned by robust delivery mechanisms that reflect the duration of impacts. Based on the information provided, Natural England advises that further information is required to better inform an assessment of impact.

As submitted, the application could have potential significant effects on the dune system associated with the **Dawlish Warren Special Area of Conservation (SAC),** and bird assemblage associated with **Exe Estuary Special Protection Area (SPA)/ Exe Estuary Ramsar,** and **Dawlish Warren Cliffs (SSSI)**. Your Authority will need to undertake a Habitats Regulation Assessment (HRA) before determining this application. Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.

The following detailed information will need to be secured:-

In accordance with BS42020, a detailed **Construction Environmental Management Plan** (CEMP) **Landscape and Ecological Management Plan** (LEMP) will be required to underpin the agreed mitigation measures.

Where impacts are permanent, mitigation measures and management of those measures will need to be in place for the duration of the impacts.

Aggregations of Honeycomb Worm Sabellaria alveolata have been identified as being present in the lower intertidal zone of the shore. Where possible loss or degradation of this habitat should be avoided and where not possible, mitigated.

We support the proposal to include a 'Marine Transit Routing Plan' within a submitted CEMP which will have the potential to reduce impact by activities of the jack up barge upon these aggregations. We support the proposed inclusion of biodiversity enhancements within the Dawlish still basin.

Biodiversity Net Gain

In the Chancellor's 2019 Spring Statement and in the forthcoming Environment Bill, the government announced that it "will Mandate net gains for biodiversity on new developments in England to deliver an overall increase in biodiversity".

Accordingly and to future proof the proposed development, we advise that the proposals are reviewed in light of this commitment towards the delivery of biodiversity net gain. It would be useful to demonstrate the delivery of biodiversity net gain, with the use of a recognised biodiversity metric mechanism. The Defra metric was updated in December 2019 to include intertidal habitats.

We note that the proposals involve the direct loss of marine habitats (extension of promenade c.3m Seaward, loss of approximately 1000m2 of foreshore). We advise delivery of offsite biodiversity net gain (as close to development site as possible) where there are limited opportunities to deliver onsite biodiversity net gain.

DCC Flood Risk (Lead Local Flood Authority)
As this application falls within a coastal area, this would be outside of our remit. Therefore, we will not be commenting on this application.

TDC Drainage and Coastal Manager
Requests details to support general principles of the promenade and track drainage. Subject to receipt of satisfactory information advises that drainage details could be dealt with by condition.

TDC Biodiversity Officer
I note the findings of the Ecological Impact Assessment and Habitat Regulations Screening for Likely Significant Effect (none likely). I have no objection to the proposals.

Police Designing Out Crime Officer
I have forwarded the consultation on to the Designing Out Crime Officer for the British Transport Police who covers the Teignbridge area. His remit includes developments relating to Network Rail property i.e. railways, footbridges, stations etc. so he is best placed to comment on the application. The team have considered our observations and recommendations so there are no further comments at this stage.

7. REPRESENTATIONS

Thirteen letters of support including three from MPs, two objections have been received, 2 comments and a representation from The Dawlish Local History Group

The letters of support raise the following points;

I. Over a million people live to the west of Dawlish and they rely on this rail route to get to work, see their family and friends and receive goods via freight.
II. Tourism plays a bit part in the economy of Devon and Cornwall valued at over £2.5bn per year.
III. Welcomes the use of local labour
IV. It will be easier to get off the train and come out of the station
V. With climate change doing nothing is not an option
VI. Proposal will bring Dawlish into the 21st century with a modern outlook
VII. Concerned about the effect of clearing vegetation below Coastguards cottages
VIII. Potential destabilisation as a result of piling.
IX. The footpath access to Coastguard cottages should be open at all times
X. The design is thoughtful
XI. Much better facilities will be provided for the elderly or disabled.

The Letters of Objection Raise the Following Points;

I. The size and scale of the footbridge is too large. The height will dominate the listed station buildings. The angled towers is very out of place.
II. The new bridge is unnecessary
III. There are no guarantees that the current station footbridge won't be closed to passengers in the future.
IV. What is proposed to be done to listed buildings and materials would be vandalism
V. Coastguard building could be rebuilt in Boat Cove
VI. Covering over much of the old Brunel stone

The Comments that have been made Include;

I. Reinstatement of the footpath from Exeter Road to the footbridge should be included in the schedule of works.
II. It is essential to have access to escape from the beach halfway between the station and Coastguards

The Dawlish Local History Group make the Following Comments;

I. Concerned about the great loss of railway heritage.
II. Disagree with NR's heritage statement and consider that the Boat House and footbridge are part of Brunel's heritage. As much of this heritage should be retained and refurbished as possible.
III. Any dressed stone from the Boat House that is not re-used should be offered to the town.
IV. There is no mention of the filled in archway along the sea wall. It may have been connected to the atmospheric pumping station.
V. It is important that any restrictions of the view towards Colonnades Bridge are kept to a minimum.
VI. Request that any gas lantern posts that are not re-used be offered to the town.
VII. These proposals will mean the dramatic loss of railway heritage from both the Brunel era and the last days of the South Devon Railway.
VIII. The back wall of the atmospheric pumping station in the car park should be cleared of ivy and acknowledged with one of the interpretation boards.

8. TOWN / PARISH COUNCIL'S COMMENTS

Dawlish Town Council

OBJECTS to the applications with the following comments:
The protection of the railway is welcomed and acknowledged as a critical element of Dawlish. However, there are still questions regarding specifics of the design in terms of accessibility, safety, retention of heritage features in a conservation area and ensuring new elements are sympathetic to the existing structures and character of Dawlish as a town.
Access to the beach for those with mobility issues is important and there is concern regarding a lack of ramp down to the beach and escape steps from the beach to the sea wall.
The inclusion of the lift and bridge are welcomed. However, the lift design could be less brutal. Members suggested cladding in local stone and a low apex roof would be more in keeping with the original design of the station.
Members would like to see as many historic features retained as possible, noting the comments of the Local History Group speaker and the heritage statement.
Members agree with the concerns regarding the design of the stilling basin referenced in the Teignbridge submission.
Members feel that a breakwater should still be considered as part of a long-term solution.

9. COMMUNITY INFRASTRUCTURE LEVY

The CIL liability for this development is Nil as the CIL rate for this type of development is Nil and therefore no CIL is payable.

10. ENVIRONMENTAL IMPACT ASSESSMENT

Due to its scale, nature and location this development will not have significant effects on the environment and therefore is not considered to be EIA Development.

11. HUMAN RIGHTS ACT

The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

12. EQUALITIES AND DIVERSITIES

This prior approval application has had due regard to Section 149 of the Equality Act 2010 with regard to the Public Sector Equality Duty and the case office has concluded that the application does not cause discrimination on the grounds of gender, race and disability.

Business Manager – Strategic Place