

**Meeting:** Cabinet

**Date:** 13<sup>th</sup> December 2022

**Wards Affected:** All Wards

**Report Title:** Paignton and Preston Community Seafront Masterplan

**Cabinet Member Contact Details:** Councillor Mike Morey, Cabinet Member for Infrastructure, Environment and Culture, [mike.morey@torbay.gov.uk](mailto:mike.morey@torbay.gov.uk)

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## **1. Purpose of Report**

- 1.1 The purpose of this report is to present a 'Paignton & Preston Community Seafront Masterplan' for approval and to highlight why changes to our seafront open spaces are necessary, but at the same time demonstrating that these improvements, through good design, can be transformational.
- 1.2 As our climate is changing, sea levels are rising and more storms are hitting Torbay, consequently we have been looking at our sea defences, particularly those in Paignton and Preston. Along with the Environment Agency, the Council commissioned an assessment of the Bay's existing coastal defences. This assessment has shown that the sea defences we currently have on the seafronts at Paignton and Preston will only provide protection from flooding from storms for up to another 10 years.
- 1.3 The Environment Agency says the impact of global warming and climate change is expected to result in the sea level rising by up to 29cm around the UK over the next 30 years. It warns if temperatures rise by 2 °C, the rise would be 45cm by the 2080s, or 78cm if the world heats up by more. It is therefore reasonable to assume that climate change could cause sea levels to rise in Torbay by over one metre in the next 100 years. Also, the frequency and impact of the sea over-topping the existing sea walls will increase, resulting in more infrastructure and properties being affected by sea-water flooding. On top of that, more intense rainfall will increase the risk of localised flooding and erosion.
- 1.4 At the moment, whenever we experience storms like Storm Emma in 2018, up to 90 residential properties and just over 120 commercial properties are at risk of flooding. The Torbay Coastal Defences report estimates that, with another 50 years of climate change, the total number of properties at risk of flooding would be 352. By acting now, we can rapidly reduce this risk to properties.
- 1.5 In December 2020 the Council carried out a consultation on proposals for a sea defence wall for Paignton and Preston. However, it was clear from the feedback we received that our residents wanted to be more involved in how the scheme will look, work and benefit everyone, consequently the decision was taken to pause the scheme.

- 1.6 In February 2022 the Council commissioned an independent design consultancy, LDA Design, to assist with a revised community engagement exercise. They were tasked to undertake a more collaborative public consultation process and involve as many people as possible in the co-design of a new Paignton and Preston Seafront Masterplan, which would incorporate the appropriate sea defence infrastructure, along with improvements to the wider public realm.
- 1.7 Having commissioned LDA Design to lead a more holistic re-design of the project, they looked at the original flood defence objectives, but they also included a wider review and proposals relating to seafront public spaces in the context of community need and wider regeneration objectives. Several key objectives were developed forming part of the LDA brief and these are as follows:
- Protect and improve the precious open spaces along the seafront.
  - Create a happy, healthy, and vibrant place, and
  - Celebrate the special qualities of our seafront areas.
- 1.8 The Paignton & Preston Community Seafront Masterplan, attached as Appendix 2 to this report, charts the design and engagement process, culminating in a community-led Seafront Masterplan that now has overwhelming public support. It presents a bold vision to deliver long term transformational change, acknowledging it is likely to need additional funding to the monies already identified and will need to be a phased process.

## **2. Reason for Proposal and its benefits**

- 2.1 The proposal is that the 'Paignton & Preston Community Seafront Masterplan', attached as Appendix 2, is approved by the Cabinet.
- 2.2 Masterplans set the vision and implementation strategy for a development or scheme. They are therefore, by nature, high-level strategic documents and although they indicate the intended arrangement of buildings, infrastructure and the public realm, they have a limited level of detail. Masterplans often apply to schemes that could be developed over a longer timeframe and so may need to be reviewed from time to time and be flexible to adapt to changing circumstances. Due to the current funding constraints this is likely to be the case with this Masterplan. Consequently, an implementation strategy will need to be considered, especially as the schemes are expected to be brought forward in several phases.
- 2.3 Projects normally follow several design stages set out by the Royal Institute of British Architects (RIBA) 'Plan of Work', which is a stage-by-stage design and process management tool used by the UK construction industry. To provide some context, this Masterplan scheme is currently somewhere between RIBA stage 1 (preparation and briefing) and RIBA stage 2 (concept design).
- 2.4 At RIBA stage 3 the preferred design from stage 2 is refined and worked up along with supporting information to form the documents to be submitted to the planning authority. Other third-party input/consents or appraisals may also be required at this stage. This is the next logical step for this scheme and funding is available to complete this work.
- 2.5 This report is not seeking approval for a capital scheme.

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### **3. Recommendation(s) / Proposed Decision**

- 3.1 That the Paignton & Preston Community Seafront Masterplan, attached as Appendix 2, be approved.
- 3.2 That further design work be commissioned, in line with RIBA stage 3, so that a full planning application can be submitted later, in 2023.
- 3.3 That the Director of Place, in consultation with the Cabinet Member for Infrastructure, Environment and Culture, be requested to submit appropriate planning applications for the phased works set out in the Paignton & Preston Community Seafront Masterplan.
- 3.4 That, subject to gaining the appropriate planning consent, the Director of Place, in consultation with the Cabinet Member for Infrastructure, Environment and Culture, be requested to implement the phased works set out in the Paignton & Preston Community Seafront Masterplan.
- 3.5 That, given the current availability of capital funding, the coastal defence works at Paignton Seafront should be prioritised as flood modelling has shown that residents, businesses and critical infrastructure are more at risk from coastal flooding in this area than at Preston Seafront.
- 3.6 That officers continue to monitor and proactively seek funding opportunities for the delivery of all the schemes set out in the Masterplan.

### **Appendices**

Appendix 1: Paignton & Preston Community Seafront Masterplan Appendices

Appendix 2: Paignton & Preston Community Seafront Masterplan

### **Background Documents**

# Supporting Information

## 1. Introduction

- 1.1 In February 2021 the Council launched a consultation exercise to seek views of residents living in Paignton and Preston on the proposals for a sea defence scheme that aimed to help protect the town from flooding over the next 50 years. The Council explained that, along with the Environment Agency, an assessment had been commissioned of the existing coastal defences, which had shown that the sea defences currently located on both seafronts, at Paignton and Preston, will only provide protection from flooding caused by storms for up to another 10 years.
- 1.2 It was also explained that whenever storms like Storm Emma in 2018 come along, up to 90 residential properties and just over 120 commercial properties are at risk of flooding. The Torbay Coastal Defences report estimates that, with another 50 years of climate change, the total number of properties at risk of flooding would be 352.
- 1.3 Following collaboration with the Environment Agency, extensive modelling investigations and research work through external consultants, our TDA engineers put forward a proposal to build a new sea wall, between 1.1 metre and 1.5 metre high, running along the two seafronts, but set back from the beach. Along both walls there would have been several breaks for access. A gate or other type of barricade would be used to close these access gaps off when there was a risk of flooding.
- 1.4 In early 2021 it was expected that the scheme would cost approximately £3 million, of which the Environment Agency would have contributed 95% of the cost. The Council would have made up the remaining funds from Section 106 agreements and a commitment from the 2021/22 revenue budget. At the time it was the intention that a planning application for the scheme would be submitted in early Spring 2022.
- 1.5 As part of a community engagement exercise the Council set up a 'Task and Finish Group' made up of local councillors, officers and community-based stakeholders. The Task and Finish Group held meetings in March, May and November 2021, followed by two further Stakeholder Workshops in January and June 2022.
- 1.6 However, in May 2021, following the very clear feedback from the Task and Finish Group and community representatives, it was decided to pause the submission of a planning application and to re-engage with the community over the design and position of any future sea defence structures. In essence the Council went back to the drawing board.
- 1.7 It was generally accepted that a coastal sea defence scheme was undoubtedly needed for Paignton and Preston because the issues of climate change and sea-level rise would only continue to contribute towards the frequency of coastal flooding. The Council therefore agreed to develop a revised approach to community engagement, which would be seen to be a collaborative process and would aim to develop a scheme that is right for Paignton and Preston. It was important that any revised scheme proposals have broad community support but also, and most

importantly, would deliver the required protection to as many properties and businesses as possible.

- 1.8 In early 2022, having decided that a major re-set was required, the Council commissioned LDA Design, a Landscape Architecture and Masterplanning studio with extensive coastal defence and engagement experience to lead a more holistic re-design of the project.
- 1.9 Comprising not only the original flood defence objectives, the re-design would also include a wider review and proposals relating to seafront public spaces in the context of community need and wider regeneration objectives. Several key objectives were developed forming part of the LDA brief and these are as follows:
  - Protect and improve the precious open spaces along the seafront.
  - Create a happy, healthy, and vibrant place, and
  - Celebrate the special qualities of our seafront areas.
- 1.10 The Paignton & Preston Community Seafront Masterplan, attached as Appendix 2 to this report, charts the design and engagement process, culminating in a community-led Seafront Masterplan that now has overwhelming public support. It presents a bold vision to deliver long term transformational change, acknowledging it is likely to need additional funding to the monies already identified and will need to be a phased process.

## **2. Options under consideration**

- 2.1 None

## **3. Financial Opportunities and Implications**

- 3.1 Initially the budget cost to build the originally designed wall was expected to be £3.142m, with most of the funding (95%) being secured from the Environment Agency. The Council were expecting to contribute £105,000 by using funds raised through Section 106 agreements and a commitment from the 2021/22 Budget.

## **Scheme Design & Costs – High-level Assessment**

- 3.2 TDA have undertaken a very high-level assessment to obtain an order of costs for the scheme proposals, as detailed within the Paignton and Preston Seafront Masterplan concept drawings prepared by LDA Design. It is important to note that the TDA has not yet commenced the concept design proposals or the detailed design of the scheme elements, as set out in the Masterplan. Consequently, it is incredibly difficult to predict the true value of the works, particularly in the current volatile market.
- 3.3 The earlier proposal of a functional concrete coastal defence structure, which more closely mirrored the Environment Agency and Future High Street funding offer, was heavily criticised for not considering the wider needs of the Paignton and Preston seafront areas and the associated much needed public realm improvements.
- 3.4 Design stages follow the Royal Institute of British Architects (RIBA) 'Plan of Work', which is a stage-by-stage design and process management tool used by the UK construction industry. To provide some context, this Masterplan scheme is currently

somewhere between RIBA stage 1 (preparation and briefing) and RIBA stage 2 (concept design). TDA have therefore applied rates to approximate quantities, with assistance from an experienced Tier 1 Public Realm civil engineering contractor, to develop a high-level indication of scheme costs.

- 3.5 The figures below will need to be revisited and validated once the scope of works is defined and the design work develops. Currently, there are a considerable number of unknowns relating to the project and some of these are listed as notes below the tables.

<b>Paignton Seafront Scheme</b>	<b>Cost (ex VAT) #</b>
Coastal Defence Structures	£5,535,940
Public Realm Elements	£5,673,694
<b>Total high-level cost of the Paignton Seafront Scheme</b>	<b>£11,209,634 **</b>

<b>Preston Seafront Scheme</b>	<b>Cost (ex VAT) #</b>
Coastal Defence Structures	£2,784,941
Public Realm Elements	£3,520,646
<b>Total high-level cost of the Preston Seafront Scheme</b>	<b>£6,305,587 **</b>

<b>Total High-Level Budget for Preston Seafront</b>	<b>£17,515,221 **</b>
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# Includes preliminaries, overheads & profits, and contingency costs

**\*\* Notes**

- The high-level budget exercise is solely based on the limited LDA Design sketch images.
- No site Investigation or geotechnical investigation has currently been undertaken to inform foundation design – currently, we have assumed piling will not be required.
- No market testing of rates has been carried out – these figures are based advice from an experience civils contractor working on public realm schemes.
- No programme is available and utility surveys have not yet been carried out.
- No cost allowance has been made for improvement or remedial works on the seaward side of Eastern Esplanade (road) or Preston Promenade – i.e. no allowance for works to the existing seawalls or revetments.
- No current allowance for relocation of existing business users.
- No allowance for inflation – the rates are based on today's prices.
- No allowance for new lighting on the Preston scheme.
- No allowance for structural repairs, works relating to beach huts or adjacent structures at Preston, beyond that needed to construct the new wall.
- A 20% cost uplift allowance has been made for contingency / risk / fees.

- 3.6 Initially, £3.142 million was secured from the Environment Agency (EA) for the originally proposed new coastal flood defence scheme. However, following further discussions and bids to the EA but, this will increase to £3.98 million, subject to final agreement (Jan/Feb 2023). The project is also being funded by Section 106 contributions and the Future High Streets Fund (FHSF). This brings the current funding hopefully secured to a total of £4.6 million. This investment will protect 350 buildings (including 88 residential properties and 122 commercial properties) as well as deliver multiple wider benefits; notably ensuring that Paignton can continue to operate as a key leisure and business visitor destination during and after storm events.
- 3.7 Both the EA and FHSF funding are timebound. Currently the funding that has been secured from the EA has to be spent by the end of March 2025. The outcome measures for the scheme (protection from flooding for the residential properties) must be declared by the EA to Defra by March 2027 at the latest (completion of the EA's 6year funding plan from Defra). Therefore, all construction works on the flood defence element of the scheme need to be completed by March 2027. All FHSF funding needs to be spent/evidenced by end March 2024, although delivery can go beyond that as it would be a co-funded scheme. The FHSF flood allocation is currently £571,334 of which £66,000 has been spent to date.
- 3.8 To achieve all the proposals shown, more funding will be required. The Covid-19 pandemic, alongside current economic uncertainty has placed greater pressure on both public and private funding. However, there is also an appetite by the government to invest to secure long-term economic prosperity in places like Paignton and Preston, and there will also be new opportunities arising. For example, there is a new statutory government body called Active Travel England, this body is responsible for promoting walking and cycling and the government has already pledged additional funding for projects of this nature.
- 3.9 Officers will continue to monitor funding opportunities as they arise. Organisations like Sport England, Arts Council, National Lottery, Historic England, Coastal Communities and Sustrans, all typically invest in projects of this nature, as well as local and private organisations, including charitable foundations. It is envisaged that the Masterplan, along with the 'before' and 'after' visuals, will share the potential of the 'place' and can be used to aid initial discussions to communicate the long-term vision and commitment to change.
- 3.10 Given the current availability of capital funding, a phased approach will be required for the delivery of the works contained within the Paignton & Preston Community Seafront Masterplan. Flood modelling has shown that the proposed secondary set back defence at Paignton provides the most benefit from coastal flooding to residents, businesses and critical infrastructure. Therefore, if delivery of the scheme needs to be phased, the works at Paignton should be prioritised.

#### **4. Legal Implications**

- 4.1 The Department for Environment, Food and Rural Affairs (Defra) is the policy lead for flood and coastal erosion risk management in England. New or revised policies are prepared with other parts of government such as the Treasury, the Cabinet Office (for emergency response planning) and the Department for Communities and Local Government (for land-use and planning policy). These

national policies are then delivered by Risk Management Authorities (RMAs) which are:-

- Environment Agency
- Lead Local Flood Authorities (Torbay Council)
- District and Borough Councils
- Coast protection authorities (Torbay Council)
- Water and sewerage companies
- Internal Drainage Boards
- Highways authorities (Torbay Council)

4.2 The Flood and Water Management Act 2010 requires these Risk Management Authorities to:

- co-operate with each other
- act in a manner that is consistent with the National Flood and Coastal Erosion Risk Management Strategy for England and the local flood risk management strategies developed by Lead Local Flood Authorities
- exchange information.

4.3 Torbay Council are the Lead Local Flood Authority (LLFA) for Torbay. LLFAs are county councils and unitary authorities. They lead in managing local flood risks (i.e. risks of flooding from surface water, ground water and ordinary (smaller) watercourses). This includes ensuring co-operation between the Risk Management Authorities in their area. Under the Flood and Water Management Act 2010, LLFAs are required to, amongst many other duties, prepare and maintain a strategy for local flood risk management in their areas.

## **5. Engagement and Consultation**

5.1 Following the feedback received from the first initial consultation it was decided that this second engagement and consultation would be carried out in three phases:

- Understanding the existing situation
- Vision, principles, and design options
- Final review of proposals

Carrying out the engagement this way meant our residents co-collaborated on what the final design would be. The three phases are explained below and all the details about the engagement and consultation process can be found in Appendix 1 the 'Paignton & Preston Community Seafront Masterplan Appendices' and Appendix 2 the 'Paignton & Preston Community Seafront Masterplan'.

### **5.2 Phase 1 - Understanding the Existing Situation (Baseline Analysis) - February to March 2022**

This phase was a listening exercise to understand the existing issues and opportunities for the seafront. Over 320 people let us know their views and 120 people attended the 15 focus groups and workshops that were facilitated. All the feedback can be found in Appendix 1.

### **5.3 Phase 2 - Overarching Vision, Principles and Concept Design - Monday 23 May 2022 to 12<sup>th</sup> June 2022**

This phase was about collectively developing a vision, agreeing principles and exploring concept design options. LDA Design took on board everything that was



said during phase 1 and as well as sharing design improvements as part of the phase 2 engagement exercise, two options were offered where the flood defence wall could be placed on Paignton and Preston Seafronts. There was also the opportunity to share the ideas with those who attended the Airshow, with over 400 people visiting the stand to take a look at the plans.

5.4 Phase 3 – Final Review of Proposals for the Seafront Masterplan – Friday 19<sup>th</sup> August 2022 to Sunday 11<sup>th</sup> September 2022

This stage was the culmination of the engagement and consultation process, which took back one option. It included all the feedback received from the first two phases and asked if these plans are a positive step forward for Paignton and Preston seafronts. Over 2,300 visited the engagement webpages and of the 220 responses received following the online and face to face consultations and several focus groups, 91% felt that these plans were positive. Comments left also said they felt these plans were a big improvement to the original designs. This phase provided confirmation that the landward flood defence option shown was supported for detailed design development prior to planning.

**6. Purchasing or Hiring of Goods and/or Services**

6.1 Not applicable.

**7. Tackling Climate Change**

7.1 As our climate is changing, sea levels are rising and more storms are hitting Torbay, we have been looking at our sea defences, particularly those in Paignton and Preston.

Along with the Environment Agency we commissioned an assessment of our current coastal defences. This has shown that the sea defences we currently have on both seafronts at Paignton and Preston will only provide protection from flooding from storms for up to another 10 years.

It has been predicted that due to the climate change we will see the sea level rise in Torbay by over one metre in the next 100 years. In the years to come the frequency and impact of water coming over the top of the existing sea walls will increase, resulting in more infrastructure and properties being affected by flooding. On top of that, more intense rainfall will increase the risk of localised flooding and erosion.

At the moment, whenever we experience storms like Storm Emma in 2018, up to 90 residential properties and just over 120 commercial properties are at risk of flooding. The Torbay Coastal Defences report estimates that, with another 50 years of climate change, the total number of properties at risk of flooding would be 352. By acting now, we can rapidly reduce this risk to properties.

**8. Associated Risks**

8.1 Loss of external grant funding, see 3.7 above.

8.2 Currently, up to 90 residential properties and just over 120 commercial properties are at risk of flooding. The Torbay Coastal Defences report estimates that, with another 50 years of climate change, the total number of properties at risk of flooding would be 352.

- 8.3 Given the current availability of capital funding, a phased approach will be required for the delivery of the works contained within the Paignton & Preston Community Seafront Masterplan. Flood modelling has shown that residents, businesses and critical infrastructure are most at risk from coastal flooding in the Paignton Seafront area. Therefore, if the scheme needs to be phased, the works at Paignton should be prioritised.

## Equality Impacts

9.	Identify the potential positive and negative impacts on specific groups			
		Positive Impact	Negative Impact & Mitigating Actions	Neutral Impact
	Older or younger people			There is no differential impact
	People with caring Responsibilities			There is no differential impact
	People with a disability			There is no differential impact
	Women or men			There is no differential impact
	People who are black or from a minority ethnic background (BME) <i>(Please note Gypsies / Roma are within this community)</i>			There is no differential impact
	Religion or belief (including lack of belief)			There is no differential impact
	People who are lesbian, gay or bisexual			There is no differential impact
	People who are transgendered			There is no differential impact
	People who are in a marriage or civil partnership			There is no differential impact
	Women who are pregnant / on maternity leave			There is no differential impact

	Socio-economic impacts (Including impact on child poverty issues and deprivation)			There is no differential impact
	Public Health impacts (How will your proposal impact on the general health of the population of Torbay)			There is no differential impact
10..	<b>Cumulative Council Impact</b> (proposed changes elsewhere which might worsen the impacts identified above)	None		
11.	<b>Cumulative Community Impacts</b> (proposed changes within the wider community (inc the public sector) which might worsen the impacts identified above)	None		