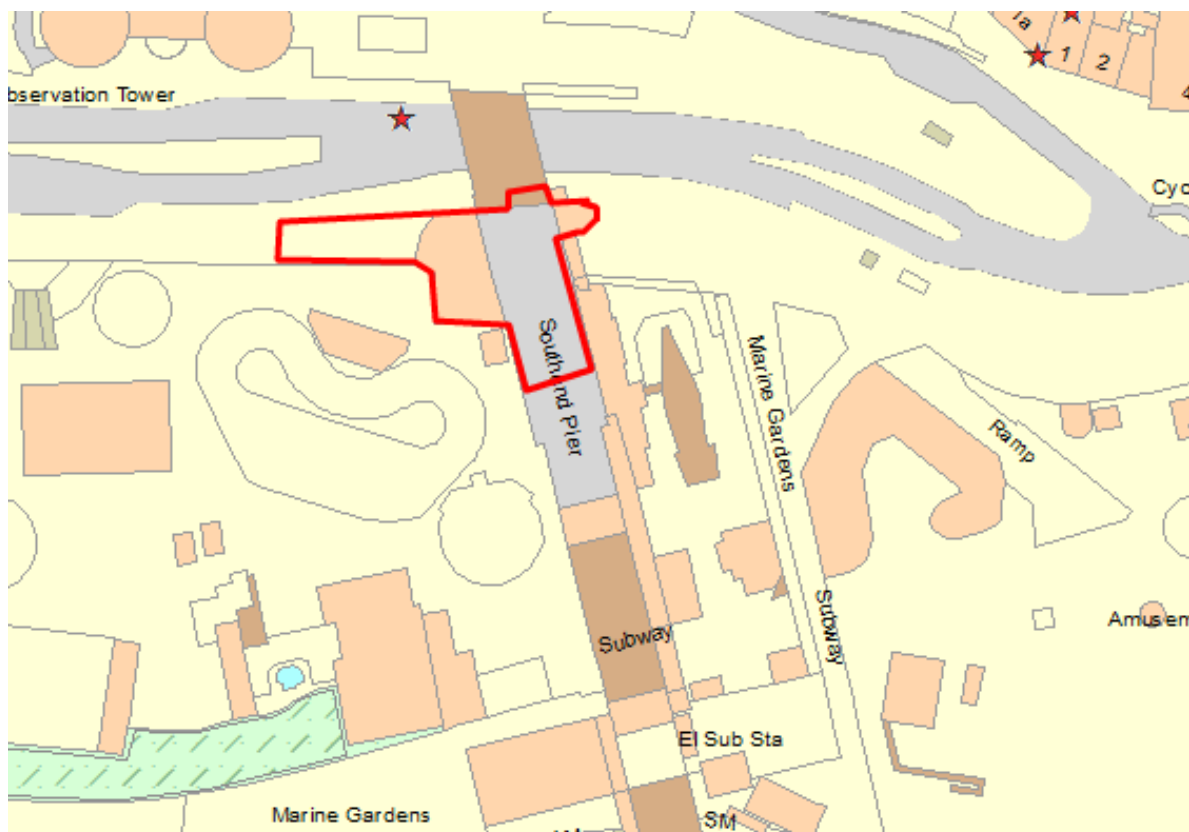


Reference:	17/00406/BC3	
Ward:	Milton	
Proposal:	Change of use of Amusement Arcade to Pier entrance, increase height and install roof lights, alter elevations and install access ramp and replace part of existing fence.	
Address:	Pier Amusement Arcade, The Pier Western Esplanade, Southend on Sea	
Applicant:	Southend on Sea Borough Council	
Agent:	N/A	
Consultation Expiry:	14 th April 2017	
Expiry Date:	1 st May 2017	
Case Officer:	Charlotte Galforg	
Plan Nos:	1464/01; 1464/02; 1464/03A; 1464/04	
Recommendation:	DELEGATE TO GRANT PLANNING PERMISSION SUBJECT TO EXPIRY OF CONSULTATION	



1 The Proposal

- 1.1 The application site lies to the west of the existing pier entrance and is currently used as an amusement arcade, through which access to the Pier can be achieved. There is a 600mm level difference between the arcade and main Pier accommodation. The applicant states that this has led to the need for numerous internal steps and a confusing layout. The existing Pier entrance layout means that the space becomes overcrowded at times, and that with the entrance to the Pier, museum, information desk and souvenir shop located on this space, navigation is often difficult. Currently there is no toilet accommodation at this end of the Pier and the retail offer is poor. This proposal is an opportunity to extend the Pier entrance and station into the area taken up by the arcade will improve the visual environment, giving greater legibility to the Pier entrance and station and alleviate overcrowding of the entrance at peak times.
- 1.2 The existing front area of the amusement arcade is proposed to be demolished and rebuilt and the internal wall between the arcade and Pier entrance demolished. The design is simple with a curved wall to echo the existing entrance, and an oversailing squared off roof to protect against the sun in summer. The internal space would be lit by new rooflights. The floor level to the arcade will be raised to create one floor level throughout and a ramp and terraced steps will be installed descending from the new building to take visitors to street level. An existing fence along the boundary with Adventure Island will be replaced. This will match the existing fence but be slightly raised to take account of the levels of the access ramp. The materials to be used are timber and brick for the main walls, flat single ply and pvc roof. Windows and doors are proposed to be powder coated aluminium. The application plans show signage but this will be subject to a separate application.
- 1.3 The enlarged space will contain toilets, a new office and store, kiosk and ice cream and drinks counter. The enlarged space will allow for a more logical layout and give room for an improved shopping experience. A new and repositioned ticket and information desk would be sited to give a view of the whole space.

2.0 Site and Surroundings

- 2.1 The Pier is located south of Western Esplanade, central to Southend seafront, and south of the main High Street shopping area.
- 2.2 The Pier is a Grade II Listed Building. The current cast iron pier was completed in 1889 and then extended in 1897, with the upper deck added in 1907 and further extensions were completed in 1927. At the head of the Pier there is currently a lifeboat station incorporating two boathouses, crew accommodation and offices, an RNLI shop and viewing gallery and Cultural Building. A train runs the length of the Pier to the Pier head.
- 2.3 The Pier Head projects 1.34miles into the Thames Estuary and the site lies adjacent to a SSSI, SPA and Ramsar site. The estuary is an internationally important site for wildlife and in particular provides a wide range of feeding and roosting opportunities for birds.

- 2.4 The application site is located at the land end of the Pier, and lies on the western side of the structure at street level. The existing amusement arcade is an irregular shape and has a rather ramshackle appearance. The external elevations essentially comprise timber folding doors which open direct onto the highway. A solid roller shutter together with blue steel supports sit in front of the doors. The unit has a flat metal edged roof from which a number of canopies project. These include lettering. A banner has been affixed to the structure above roof level, advertising the amusements, this does not have consent.
- 2.5 The site lies within Flood Zone 3 and within the Central Seafront Area. The upper deck of the Pier abuts Clifftown Conservation Area.

3.0 Planning Considerations

- 3.1 The main issues when considering this application are: the principle of the proposed use in this location, design and the impact on the character of the area; impact on the listed building, traffic and transport issues, ecology issues, flood risk and CIL.

4.0 Appraisal

Planning Policies: NPPF, DPD1 (Core Strategy) Policies: KP1; KP2; DM6; SCAAP submission document.

- 4.1 Policy KP2 of the Core Strategy requires all new development to contribute to economic, social, physical and environmental regeneration in a sustainable manner and to contribute to the achievement of the Council's strategic objectives. Policy CP4 requires development proposals to contribute to a high quality, sustainable urban environment by safeguarding and enhancing the historic environment, heritage and archaeological assets, including Listed Buildings and Conservation Areas.
- 4.2 Policy DM6 of the DMDPD refers to the Seafront and states:
- All development within the Seafront Area will incorporate measures which will:*
- (i) Limit any adverse impacts and where possible enhance the biodiversity interests of the local nature reserves and coastal and marine environment; and*
 - (ii) Protect the valuable natural amenity areas of International, European, national importance.*
- 2. All development proposals within the Seafront Area must take account of flood risk and coastal change. This will include, where appropriate, developing, agreeing and then incorporating:*
- (i) Appropriate flood defence and engineering solutions; and/or*
 - (ii) Flood resistant and resilient design that provides safe refuge to occupants in the event of a flood and is easily restored after the event.*
 - (i) Design solutions which do not prevent or restrict future maintenance and improvement of flood defences and the Borough Council's ability to manage coastal change.*
 - 3. Existing buildings along the Seafront that form a cohesive frontage, have a historic context or are recognised as key landmarks and/or contribute to a*

distinctive Southend sense of place will be retained and protected from development that would adversely affect their character, appearance, setting and the importance of the Seafront.

4. Development within or near the Seafront Area must not detrimentally impact upon the Thames Estuary's openness or views across and backdrops to the River Thames and Southend's beaches.

5. The provision of new and improved facilities for water recreation and other leisure and tourism facilities will generally be supported in appropriate locations along the Seafront in accordance with Policy Table 1. Proposals are required to demonstrate that:

(i) Such facilities will not detrimentally reduce the amount of beach available for public use or public accessibility to the foreshore; and

(ii) They provide an adequate means of access to the foreshore

(iii) They contribute to the positive appreciation of natural resources and biodiversity of the foreshore by visitors and users.

4.3 The aims for improvements to the Pier are set out in the SCAAP submission document which states:

"The Grade II listed Pier, the longest pleasure Pier in the world, has recently benefitted from considerable investment, including the development of the Royal Pavilion and the Council will seek further opportunities for its enhancement."

4.4 The pier is Southend's best known landmark and is a treasured listed building. The iron supporting structure dates back to 1877 and it is this part of the building primarily that gives it its special historic interest. The entrance has been upgraded in modern times, although the existing amusement arcade is of limited visual merit and restricts access as explained at para 1.1 above. The proposed alterations to the entrance will help improve the Pier's offer as a tourist attraction and leisure facility. Thus there is no objection in principle to use of the site as proposed, providing other detailed considerations are satisfied. These are considered below.

Design and Impact on the Character of the Area, Impact on the Listed Building.

Planning Policy: NPPF Sections 7 and 12, DPD1 (Core Strategy) policies KP1, KP2, CP4; DMDPD policies; DM5, DM6, Design and Townscape Guide SPD.1

4.5 Policy KP2 of the Core Strategy states that development should:

"Make the best use of previously developed land" and "respect, conserve and enhance the natural and historic environment".

4.6 This approach is reiterated in Policy CP4 which states:

"Development proposals will be expected to contribute to the creation of a high quality, sustainable urban environment which enhances and complements the natural and built assets of Southend." This will be achieved by: "safeguarding and enhancing the historic environment, heritage and archaeological assets, including Listed Buildings, Conservation Areas and Ancient Monuments"

4.7 Policy DM5 of the DMDPD refers to Listed Buildings and states:

“Development proposals that result in the total loss of or substantial harm to the significance of a designated heritage asset, including listed buildings and buildings within conservation areas, will be resisted, unless there is clear and convincing justification that outweighs the harm or loss. Development proposals that are demonstrated to result in less than substantial harm to a designated heritage asset will be weighed against the impact on the significance of the asset and the public benefits of the proposal, and will be resisted where there is no clear and convincing justification for this. High quality redevelopment of existing buildings within conservation areas which are considered to be of poor architectural quality will be encouraged.”

4.8 As the site is part of a Listed Building special attention should be paid to the protecting the character and appearance of the Listed Building in accordance with guidance set out in the NPPF.

4.9 The existing arcade is described at para 2.4 above. There is no objection in principle to the loss of the existing built form in this location as this is poor quality and detracts for the character of the pier and the wider seafront. The proposed development includes alterations to the existing amusement arcade to create an enhanced Pier Entrance. The design is a simple flat roofed single storey addition which is timber clad with a curved glass corner and feature overhanging roof. It has a brick plinth, aluminium windows and doors, a servery and terraced area to west side.

4.10 The scale and form sits well with in this context and the use of matching materials and detailing, including glazing and plinth detail will help to ensure that this extension reads as one with the existing entrance rather than an addition. The curved design reflects main entrance and the flat roof has been designed to act as protection from the sun. The proposed design is generally considered to enhance the appearance of the Listed Building. The applicant has proposed a different material to that of the existing entrance because the render that was used for the main entrance has not weathered well. Instead it is proposed to use reclaimed and recycled timber (taken from, the Pier), which would reflect the character of the Pier structure itself, this is a welcome solution although it will be important to ensure that the cladding under the bridge is replaced to match so achieve this seamless transition. The extension is considered to enhance the character of the Listed Building. There are no objections to the installation of roof lights within the building. These will be screened from general view. The new ramp will improve access to the building in general and will not detract from its character or appearance. The proposed fence will match that which currently exists and therefore will maintain the existing character.

4.11 The built development is considered to be a well designed, good quality development, sympathetic to the listed building and its character, but it will be important to ensure that it is well detailed so as to preserve the integrity of the pier and to ensure that it integrates well with the original entrance concept. Therefore conditions are recommended in respect of the feature overhang, kiosk servery, landscaping/terrace, signage, rooflight and materials (including the timber cladding).

- 4.12 An objector has raised concerns regarding impact of any lighting associated with the development on the night sky. It is proposed to include some downlighting in the development to illuminate the building at night. Presently the area under the bridge is quite dark and it is also intended to improve this by redecoration and installation of a new lighting feature. These details will be subject to agreement by condition in order to minimise light spillage.
- 4.13. The application is considered to protect the character of the Listed Building and to enhance the character of the adjacent Conservation Area and is considered to accord with Policies KP2 and CP4 of the Core Strategy and DM1 and DM5 of the DMDPD.

Traffic and Transport issues

Planning Policies: NPPF; DPD1 (Core Strategy) policies: KP1, KP2, KP3, CP3; DMDPD Policy DM15.

- 4.14. The development would not result in any increase in parking demand.
- 4.15 The proposed steps extend onto the highway. This is an area of high pedestrian footfall and the applicant has amended the original plans to increase the distance between the steps and carriageway in order to facilitate the free flow of pedestrian traffic and in the interests of pedestrian safety. No objections are therefore raised on highway safety grounds.
- 4.16 The development is considered to be in accordance with policies CP3 of the Core Strategy and DM15 of the DMDPD with regard to traffic generation, and parking.

Impact on amenities of adjacent properties

Planning Policies: NPPF: Core Planning Principles, Section 11, DPD1 (Core Strategy) policies, KP2, CP4; DMDPD Policy DM1.

- 4.17 The surrounding properties are in commercial use. The adjacent Adventure Island theme park generates a considerable amount of noise and activity. It is considered that any additional activity generated by the proposed use will have a minimal impact on neighbouring occupiers and will not be detrimental to amenity.

Ecology

Planning Policies: NPPF; DPD1 (Core Strategy) KP1, KP2, Policy CP4, DMDDPD policy DM6.

- 4.18 The application site is located adjacent to an internationally important area for wildlife and in particular for birds. The Environment Agency has been consulted in relation to the application. Consultation responses are awaited and will be reported in the Supplementary agenda. However given the location and scale of the works and the limited increase in activity associated with the site, and the fact the site is separated from the Estuary by Adventure Island, it is not considered that the proposed use would result in harm to the over wintering birds or other interest features in the designated site (Estuary). As noted in para 4.12 above, details of any lighting of the structure will be controlled by condition to prevent light spillage and any possible resulting impact on the night sky or wildlife.

Flood Risk

Planning Policies: NPPF, DPD1 (Core Strategy) policies: KP1, KP2, KP3, CP4, DMDPD Policy DM6.

- 4.19 The site falls within Flood Zones 2 and 3 as identified on the Environment Agency's (EA) indicative flood map. The applicant has submitted a statement in relation to flood risk with the application and the Environment Agency has been consulted. The applicant has stated that the Pier already operates a detailed action and evacuation plan and there is an established council wide early warning system for flood events. The floor level of the proposed building is no lower than that which exists. Both the existing and proposed uses are classified as "Less vulnerable" uses and therefore are considered to be appropriate in this zone.
- 4.20 The Environment Agency guidance states that "The Sequential Test can be considered adequately demonstrated if both of the following criteria are met:
- The Sequential Test has already been carried out for the site (for the same development type) at the strategic level (Local Plan); and
 - The development vulnerability is appropriate to the Flood Zone (see table 3 of technical guidance to the NPPF).
- 4.21 The objective of the Sequential Test is to direct new development to the least flood-prone areas. However, the NPPF at para 102 states:
- "If, following application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding, the Exception Test can be applied if appropriate. For the Exception Test to be passed:
- it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared"
- 4.22 As part of the Core Strategy the Council has also had to have regard to the following considerations inter alia :
- i. "excluding such areas from consideration for regeneration and growth would further limit the already limited spatial options available to the Borough to achieve such regeneration and growth, and would require other important sustainability considerations, as set out above, to be compromised;
 - ii. the overwhelming community support for the Council's 'preferred option' (on which the spatial strategy in this Development Plan Document is very strongly based) indicated through the pre-submission consultation and public participation stages."
- 4.23 The spatial strategy set out within the Core Strategy is considered to represent an appropriate balance between these considerations. Equally, it sets out what is considered to be the most appropriate way forward for Southend, seeking to maximise the town's strengths and opportunities by focusing the majority of growth and regeneration on key regeneration areas, including the Seafront. The proposed use is one for which the seafront location is key and that location is in line with key Core Strategy Policy. The application is therefore, considered to meet the

Exception test.

- 4.24 As noted above, the development vulnerability is appropriate to the Flood Zone. The application is therefore considered to meet the Sequential test.
- 4.25 Environment Agency comments are awaited and will be reported in the Supplementary agenda.

Community Infrastructure Levy (CIL) Charging Schedule.

- 4.26 This application is not CIL liable, as there will be no increase in floorspace. Section 143 of the Localism Act 2011 states that any financial sum that an authority has received, will, or could receive, in payment of CIL is a material 'local finance consideration' in planning decisions.

5.0 Conclusion

- 5.1 There is no objection to the loss of the existing and the proposed alterations will enhance the character of the Grade II Listed Building and adjacent Conservation Area. The development will not result in additional traffic generation or parking demand and does not impact upon parking demand or give rise to highway safety issues. The development would not have a detrimental impact on ecology and the development has been designed to take into account flood risk issues. The development is therefore, considered to be in accordance with Local Plan Policies and is acceptable.
- 5.2 It is noted that Listed Building consent will also be required for the works. An informative will be added to this effect.

6.0 Planning Policy Summary

- 6.1 National Planning Policy Framework
- 6.2 DPD1 (Core Strategy) Policies- Key Policies, KP1 (Spatial Strategy); KP2 (Development Principles); KP3 (Implementation and Resources); CP3 (Transport and Accessibility); CP4 (The Environment and Urban Renaissance); CP6 (Community Infrastructure).
- 6.3 Development Management DPD ; policies DM1 – Design Quality; DM2 – Low Carbon Development and Efficient Use of Resources; DM5 – Southend-on-Sea's Historic Environment; DM6 – The Seafront; DM15 – Sustainable Transport Management.
- 6.4 Supplementary Planning Document 1: Design & Townscape Guide (2009).
- 6.5 SCAAP (submission document)

7.0 Representation Summary

- 7.1 **The Environment Agency** – to be reported.
- 7.2 **Design and Regeneration** – The proposal seeks to demolish the existing

amusement arcade and erect and erect a single storey addition to extend the entrance of the pier through to the west side. There is no objection in principle to the loss of the existing built form in this location as this is poor quality and detracts for the character of the pier and the wider seafront.

The proposal to use this area to enlarge the entrance to the pier to become a dual fronted entrance allowing visitors to enter from both the east and the west sides will improve visitor access and flow within the building and is welcomed.

The scale and form sits well with in this context and the use of matching materials and detailing, including glazing and plinth detail will help to ensure that this extension reads as one with the existing entrance rather than an addition. It is noted that reclaimed timber which was once part of the pier deck is proposed for the cladding. This is a nice touch and a sustainable It is also considered that the curved glazed corner, which is proposed to reference the glazed stair tower on the east side, will work well to link the two halves of the entrance as one unit. Internally the raising of the floor level to a single height will improve access for users and the raised external terrace and ramp works well to integrate this into the landscape.

Overall the design concept therefore seems well considered and there is therefore no objection to this proposal but it will be important to ensure that it is well detailed so as to preserve the integrity of the pier and to ensure that it integrates well with the original entrance concept. The following comments are therefore made in respect of the detailing.

Feature overhang - It appears that this will be timber clad to match with embossed lettering, which is acceptable in principle although the detailing of this is not shown on the plans. Given that the pier is listed it is important that this detailing is well resolved so this should be requested or conditioned including a cross section showing dimensions, roof detailing (capped edge or parapet), signage, soffit and fascia materials, signage and lighting. (It is noted that this element is shown differently in the 3d image than the elevation (thicker))

Kiosk servery - Design details of kiosk servery including depth of framing, associated signage solution, materials and lighting should be requested or conditioned

Landscaping/Terrace – details of the terrace should be submitted including detailed design, materials, furniture and any balustrading or proposed planting. It is suggested that a paved terracing matching the city beach paving style found at the east entrance would be most appropriate.

Signage and lighting – it is noted that backlit metal lettering is proposed to the east side and embossed signage to timber fascia to the west side. These are acceptable in principle although design details are sketchy and should be requested or conditioned. It is noted that downlighters are proposed to the soffit and that a feature LED lighting grid is proposed under the bridge. These are both welcomed and will add to the visitor experience although again details should be requested or conditioned including colours etc. although it is noted that basic details have been provided which seem generally acceptable.

Materials –in addition to the missing materials / details requested above in relation to the fascia and servery, the window frames and doors and brick plinth should be conditioned to match existing, the timber cladding should be conditioned to include area under bridge. The roof as pvc is accepted subject to it being hidden from ground level and a dark colour - the design detail for the overhang should confirm that it is hidden. The rooflight product detail should be clarified. HPL cladding is

noted on the drawings (fascia) please clarify. It is unclear how this would relate to the timber cladding proposed as this seems different.

7.3 **Highways** – No objections

7.4 **Parks** – No comments received

7.5 **Pier and Foreshore** – No comments received.

7.6 **Asset Management** - No comments received.

8.0 **Public Consultation**

8.1 Site Notice displayed. 12 neighbours have been notified. One letter of objection has been received, summarised as follows:

- The objector represents the Amateur Astronomy Community of SE Essex.
- Object to unnecessary external lighting, particularly decorative lighting, that will inevitably increase light escaping into the night sky increasing light pollution in the form of sky glow.
- The site is on the edge of the foreshore, a site of special significance for wildlife which will be detrimentally affected by light escaping into the night sky. Over wintering wild fowl are particularly affected by lights that can be viewed from a distance which can disrupt their navigation.
- The objector operates an internationally registered Astronomical observatory and is trying to avoid an increase in light escaping into the night sky which hampers research work.
- Lighting levels should be the minimum necessary, decorative lighting should be avoided. External lighting should be avoided in out of summer season periods and extinguished during the hours of 22.00hrs and 06.30hrs.

9.0 **Relevant Planning History**

9.1 There are many applications for development relating to the pier, however none are relevant to this application.

10.0 **Recommendation**

Members are recommended to DELEGATE TO THE GROUP MANAGER PLANNING AND BUILDING CONTROL TO GRANT PLANNING PERMISSION subject to expiration of the consultation period and subject to the conditions set out below:

01 The development hereby permitted shall begin not later than 3 (three) years from the date of this decision.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990

02 The development hereby permitted shall be carried out in accordance with the following approved plans: 1464/01; 1464/02; 1464/03A; 1464/04

Reason: To ensure that the development is carried out in accordance with the provisions of the Development Plan

- 03 No development shall take place until details and samples of the facing materials to be used, including the window frames and doors and brick plinth, HPL cladding timber cladding and details of the rooflight product have been submitted to and approved in writing by the Local Planning Authority. The works must then be carried out in accordance with the approved materials unless otherwise agreed in writing by the local planning authority.**

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the listed building and the adjacent Conservation Area. This is as set out in the DPD1 (Core Strategy) 2007 policy KP1, KP2 and CP4, Development Management DPD Policies DM1, DM5 and DM6 and SPD1 (Design and Townscape Guide).

- 04 No development shall take place until details of the feature overhang at a scale of not more than 1:20 have been submitted to and approved by the Local Planning Authority prior to commencement of development, the details shall include a cross section showing dimensions, roof detailing (capped edge or parapet), signage, soffit and fascia materials, signage and lighting. The development shall be carried out only in accordance with the approved plans and details.**

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the listed building and the adjacent Conservation Area. This is as set out in the DPD1 (Core Strategy) 2007 policy KP1, KP2 and CP4, Development Management DPD Policies DM1, DM5 and DM6 and SPD1 (Design and Townscape Guide).

- 05 No development shall take place until details of the kiosk servery including depth of framing, associated signage, materials and lighting at a scale of not more than 1:20 have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the listed building and the adjacent Conservation Area. This is as set out in the DPD1 (Core Strategy) 2007 policy KP1, KP2 and CP4, Development Management DPD Policies DM1, DM5 and DM6 and SPD1 (Design and Townscape Guide).

- 06 No development shall take place until details of the terrace at a scale of not more than 1:20 have been submitted to and approved by the Local Planning Authority including detailed design, materials, furniture and any balustrading or proposed planting. The development shall be carried out in accordance with the approved details.**

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the listed building and the adjacent Conservation Area. This is as set out in the DPD1 (Core Strategy) 2007 policy KP1, KP2 and CP4, Development Management DPD Policies DM1, DM5 and DM6 and SPD1 (Design and Townscape Guide).

- 07** No signage shall be displayed on the building until details of the signage at a scale of not more than 1:20 including details of materials and illumination have been submitted to and approved by the Local Planning Authority, the signage shall be displayed in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the listed building and the adjacent Conservation Area. This is as set out in the DPD1 (Core Strategy) 2007 policy KP1, KP2 and CP4, Development Management DPD Policies DM1 , DM5 and DM6 and SPD1 (Design and Townscape Guide).

- 08** Prior to commencement of development details of any illumination, including luminance and direction of lighting and hours of illumination, shall be submitted to and approved by the Local Planning Authority, the building shall be illuminated only in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the listed building and the adjacent Conservation Area and to protect biodiversity in accordance with DPD1 (Core Strategy) policies KP2 and CP4. This is as set out in the DPD1 (Core Strategy) 2007 policy KP1, KP2 and CP4, Development Management DPD Policies DM1 and DM5, DM6 and SPD1 (Design and Townscape Guide).

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.

Informative: The applicant is reminded that Listed Building Consent is also required for this development.