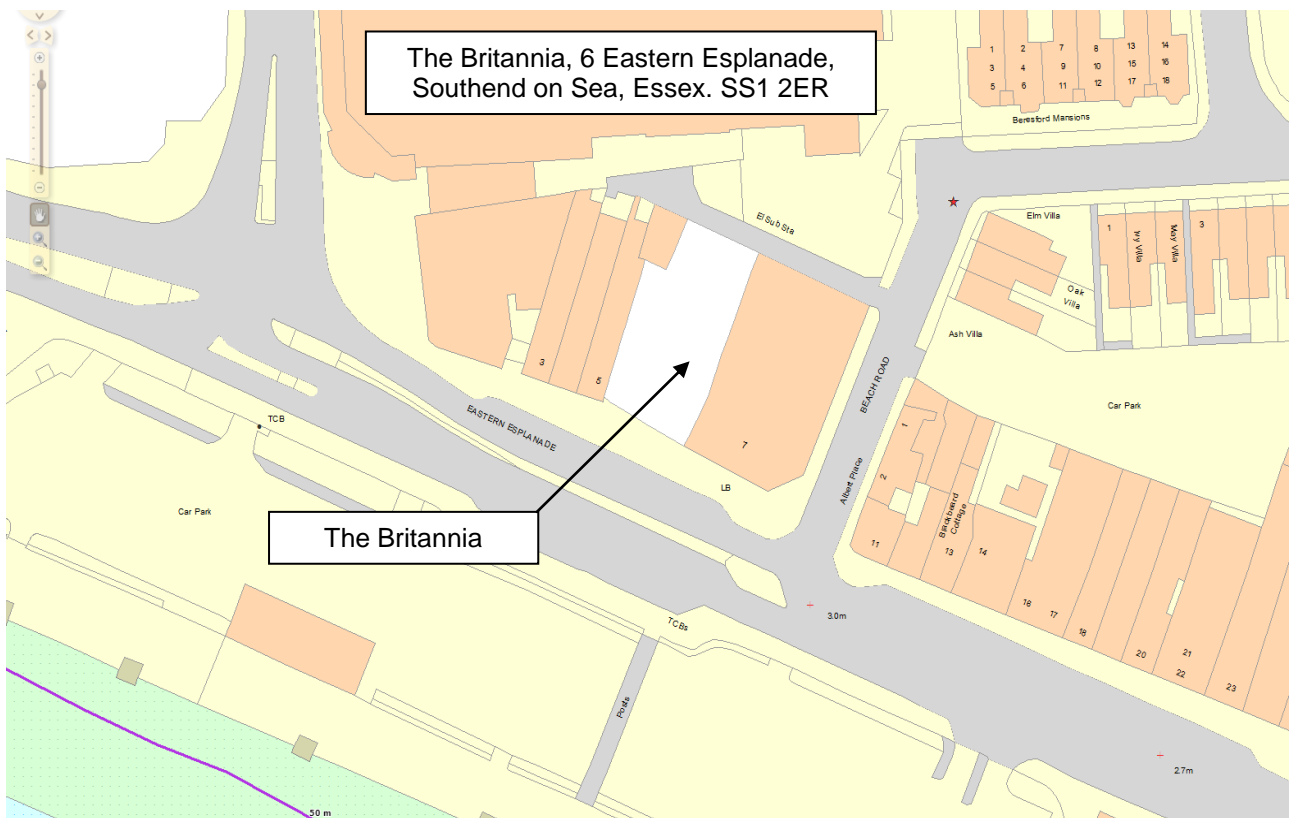


Reference:	19/00267/BRCN_B
Ward:	Kursaal
Breaches of Control	Unauthorised development in respect of the widening of the main front door, the installation of glass doors and metal shutters, the application of gold coloured cladding to the parapet and unauthorised signage affixed to the south elevation.
Address:	The Britannia, 6 Eastern Esplanade, Southend on Sea, Essex. SS1 2ER
Case Opened:	1 st October 2019
Case Officer:	Steve Jones
Recommendation:	AUTHORISE ENFORCEMENT ACTION



1 Site and Surroundings

- 1.1 The Britannia is a locally listed building located at the western end of Eastern Esplanade opposite the sea life centre car park. The original building dates from the late 18th / early 19th century and is one of 3 notable buildings in the Kursaal Conservation Area the others being the Kursaal itself and the former Minerva Inn. The Britannia was built as a house but was changed to an Inn in the mid-19th century and remained so until it was closed a few years ago.
- 1.2 A proposal for the redevelopment of the site was approved in 2017 and is underway. Because of the poor condition of the building, which had suffered structural and flood damage, the approved scheme only included the retention of the façade of the historic building. The rear of the building was demolished and has been rebuilt as part of the wider redevelopment of the site. The façade has been restored, including the reinstatement of lost features such as the replacement of upvc windows with traditional timber, and, for the most part, is still considered to make a positive contribution to the character of the conservation area. Aspects of the frontage have not been built in accordance with the approved plans. This includes the wider glazed entrance doors and solid metal shuttering which have been installed without consent and garish signage. These elements are of poor design and are causing harm to the character of the locally listed façade.
- 1.3 The wider streetscene has a mixed character including a variety of leisure, commercial uses and residential uses. The area falls within the central seafront policy area as designated by the Southend Central Area Action Plan. The site also falls within flood zone 3.
- 1.4 Opposite the site is the promenade and the beach and foreshore beyond. The foreshore in this location is covered by a number of nature designations.

2 Lawful Planning Use

- 2.1 The lawful planning use of the main southern building is as a restaurant to the ground floor within Use Class E (formerly Class A3) with 3 self contained flats above over the first and second floors. To the rear is a four storey block under construction, comprising of six self-contained flats within Class C3 of the Town and Country Planning Use Classes Order 1987.(as amended)

3 Relevant Planning History

- 3.1 20/00330/FUL - Install timber porch to front entrance – Granted (See Officers report Appendix 2)
- 3.2 17/01312/AD - Application for approval of details pursuant to condition 05 (Materials), condition 06 (method statement for front facade), condition 13 (construction method statement), condition 16 (cycle and refuse store details), condition 17 (Asbestos Survey), condition 19 (SUD's) and condition 22 (details of soft and hard landscaping) of planning permission 16/02277/FUL dated 01.03.2017 - Granted (See Officers report Appendix 3)

- 3.3 16/02277/FUL - Retain front facade, part demolish rear of existing public house, demolish all outbuildings, erect three self-contained flats with ground floor restaurant use (Class A3), install dormers to front elevation, erect four storey block comprising of six self-contained flats to rear with balconies to front, layout parking, cycle store and bin stores (Amended Proposal) – Granted (See Officers report Appendix 4)

4. Background

- 4.1 In September 2019 complaints were received relating to several features to the front façade that did not benefit from planning approval. In particular the issues related to the wider than approved door opening, the installation of metal shutters, the removal of chimneys and the garish signage.
- 4.2 On 26th September 2019 the concerns were raised with the architect for the site in an email following which arrangements were made for a meeting with a Planning Officer.
- 4.3 In early November 2019 a Planning Officer and Enforcement staff met with the planning agent on site to discuss the issues. Although the agent had several contacts with the planning department following the meeting it wasn't until early February 2020 that an informal amended drawing was presented to the Planning Officer and subsequently a formal planning application was submitted.
- 4.4 On 24th February 2020 a planning application was received under ref 20/00330/FUL but it was noted this only related to the installation of a timber front porch. This application was approved on 22nd May 2020. (See Officers Report Appendix 2)
- 4.5 In an email to the agent dated 3rd June 2020 it was made clear that the approved entrance doors should be promptly installed and sight of the programme of works was requested. Additionally they were reminded that the materials for signage at the building was covered by the material condition under ref 17/01312/AD. Warnings were given about the prospect that if no response was sent to the Planning Authority by June 17th 2020 authority to the DCC would be sought for enforcement action.
- 4.6 On 16th June 2020 a response was received from the agent detailing the current status regarding the signage and the porch doors. The indications were that works would commence within about a month following.
- 4.7 Further concerns were raised with the agent concerning the unauthorised gold cladding to the parapet and an email from the agent on 26th June 2020 indicated an application would be submitted to retain this feature.
- 4.8 On 24th August 2020 the agent was contacted by email with reference to the 16th June email concerning the porch and parapet lettering as no planning application had been received in respect of the lettering nor works commenced in respect of the approved porch. A response was received to the effect that an application would be submitted by early September 2020 and that the Covid 19 situation was continuing to be responsible for the delays.

- 4.9 On 28th September 2020 the agent was again contacted as no application or additional information had been received.
- 4.10 On 30th September 2020 enforcement staff attended the site and noted that works to the approved porch had not commenced the unauthorised signage for the building and advertising for the restaurant was still in situ as was the unauthorised gold parapet cladding.
- 4.11 On 5th October 2020 the architect, who had been away, confirmed that they had been let down by the joiner that they use and had been finding since strict lockdown ended that many different trades across the sector had taken on too much work so trying to organise reliable labour has been very challenging. They explained that given the detailed traditional nature of the work they had been careful to use the right person to get the right outcome (albeit at the expense of time). They had managed to pin a date of the week commencing the 2nd of November 2020 and the joiner will endeavour to complete before this if possible, with an anticipated dig and cover of the footing just before this at the end of October. They confirmed the works will be undertaken in line with the consent. They also confirmed submission of an application for advertisement consent for signage.

5 Appraisal and Policy Considerations:

5.1 National Planning Policy Framework (2019) ; Core Strategy (2007) Policies KP1, KP2 and CP4; Development Management Document (2015) Policies DM1, DM3, DM5, DM6 and the Southend Design and Townscape Guide (2009)

- 5.2 The key issue relating to this enforcement case is the impact on the character and appearance of the locally listed building and the wider Conservation Area and the Seafront generally.

6. Harm caused by the identified breaches:

- 6.1 Policy DM1 of the Development Management Document advocates the need for good quality design that contributes positively to the creation of successful places. All developments should respect the character of the site, its local context and surroundings in terms of its architectural approach, height, scale, form and proportions.
- 6.2 Section 72(1) of the Planning and Listed Buildings and Conservation Areas Act 1990 states that special attention should be paid to the desirability of preserving or enhancing the character or appearance of conservation areas. Extensions and alterations to buildings within conservation areas therefore must respect the existing historic character of the buildings and the wider conservation area. Development which achieves this will generally be supported subject the detailed consideration.
- 6.3 Policy DM5 of the Development Management Document states that all development proposals that affect a heritage asset will be required to include an assessment of its significance and to conserve and enhance its historic and architectural character, setting and townscape value.

- 6.4 Policy CP4 of the Core Strategy requires development to safeguard and enhance the historic environment, including Conservation Areas.
- 6.5 Paragraph 302 of the Design and Townscape Guide states that development in conservation areas will be required to respect its character by preserving or reinstating traditional features or materials and enhancing the area with good quality design. It is also stated that opportunities should be taken to enhance the area by reinstating original designs, materials and features which have previously been altered unsympathetically. New buildings, extensions and alterations visible from public places should positively enhance the character and appearance of the Conservation Area.
- 6.6 In light of the above, the principle of alterations or additions was considered acceptable subject to detailed planning considerations.
- 6.7 It is considered that the gold cladding to the parapet is materially different to that approved under the application for approval of details ref 17/01312/AD, which required retention of the original / or as the original stone parapet under a new power coated black grey aluminium parapet signage board with applied standalone satin gold lettering. The diamond pattern of gold cladding which has since been installed across the full parapet is considered to be too garish for the historic frontage and harmful to the character and appearance of the locally listed building and the wider conservation area.
- 6.8 A single traditional timber entrance door with fanlight was approved as part of this initial design, however, during the construction process this was changed to double glass doors to improve access and to increase visibility and light into the premises and a roller shutter added for security. The blue solid roller shutter in situ is of a particularly poor design and a dominant addition to the front of the building. The glazed doors are of a higher quality but combined with the roller shutter or as a standalone arrangement are out of place on this historic frontage. Under application ref 20/00330/FUL planning permission was granted for the doors to be retained as part of a design which included solid timber folding outer doors and timber rain porch. It was considered that, whilst the approved single traditional timber door and fanlight remains the preferred approach, on balance, given that the original single door and fanlight had already been lost and replaced with a double door width glazed porch and glazed inner side lights to an internal replacement door, it was considered that the addition of traditional outer solid timber doors and rain porch of an improved design around the glazed doors sufficiently mitigated their impact in this context and resulted in a comparable impact to the significance of the building to the previous porch. However, without the addition of the outer timber doors and porch to provide screening and mitigate the impact of the glazed doors, it is considered that this element too is unacceptable and causes material harm to the significance of the historic frontage of the locally listed building and the wider conservation area.
- 6.9 Signage
The initial planning permission reference 16/02277/FUL included a condition which required the materials for any signage to be submitted and agreed by the council prior to installation. Separate advertisement consent may also be required. A large externally illuminated fascia sign has been installed. This is made of modern materials with a flat printed garish design.

The inappropriate materials and overall busy design of the sign have caused material harm to the significance of the locally listed building and the wider streetscene. These need to be replaced with signage which better respects the historic character of the building in terms of its materials and design.

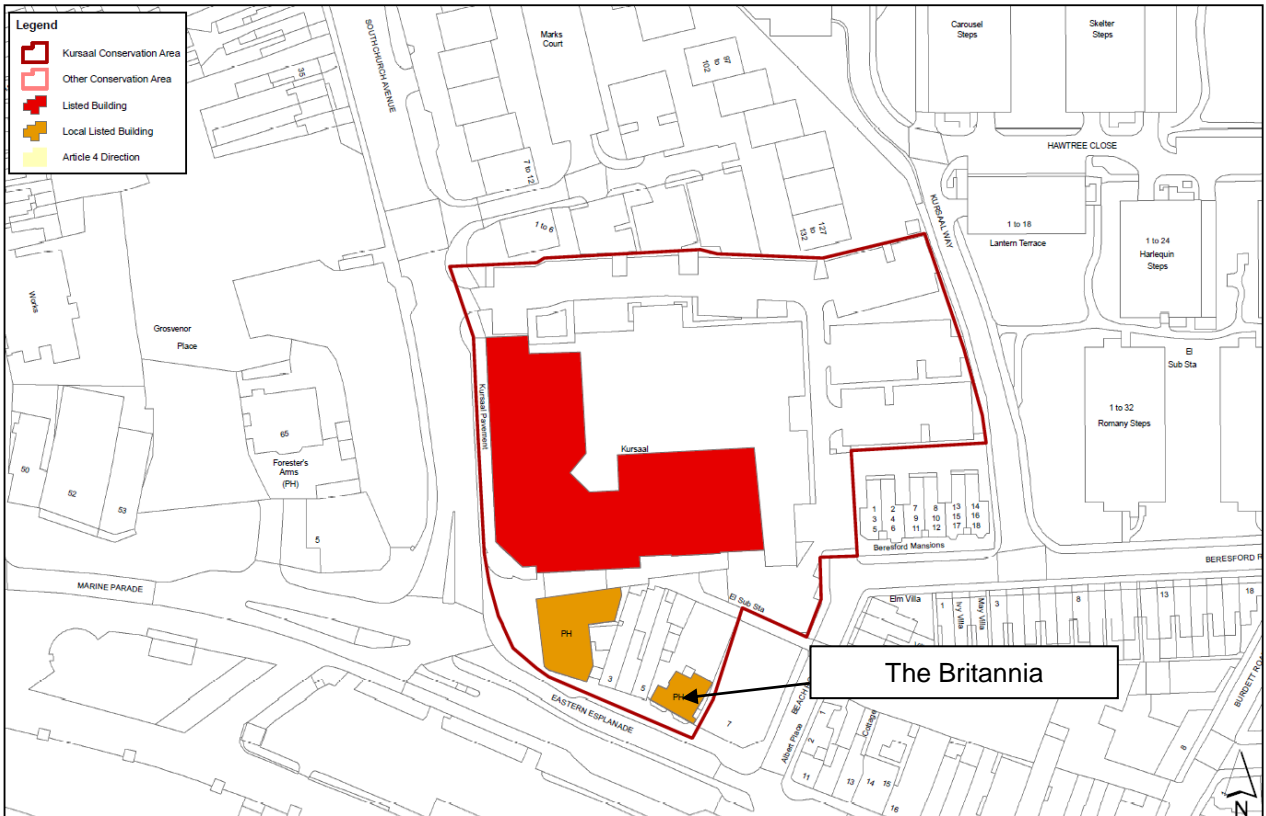
- 6.10 No advertising consent has been given or applied for although the agent advises an application has recently been submitted.
- 6.11 Overall, the unauthorised development has caused less than substantial but nevertheless significant harm to the character and significance of the locally listed building and the wider Kursaal Conservation Area. This harm is not outweighed by any identified public benefits. The works have also failed to preserve or enhance the character of the conservation area and are considered to be unacceptable and contrary to the NPPF, policies KP2 and CP4 of the Core Strategy and policies DM1, DM3 and DM5 of the Development Management Document.
- 6.12 Given the nature and harmful impact of the breach and the owner's failure to regularise the unauthorised development it is considered necessary and proportionate for enforcement notices to be served and also for any action necessary to be taken under the provisions of the Advertisement Regulations concerning the unauthorised signage .

7 Recommendation

- 7.1 Members are recommended to AUTHORISE ENFORCEMENT ACTION to;
- a) secure the removal of the unauthorised steel shutters
 - b) secure removal of the gold cladding to the parapet
 - c) secure the removal of unauthorised signage to the south elevation
 - d) remove from site all materials resulting from compliance with a) above
- 7.2 The authorised enforcement action to include (if/as necessary) the service of an Enforcement Notice under Section 172 of the Act and the pursuance of proceedings whether by prosecution or injunction to secure compliance with the requirements of the Enforcement Notice and any proceeding instituted under the provisions of the Advertisement Regulations.
- 7.3 When serving an Enforcement Notice the local planning authority must ensure a reasonable time for compliance. In this case a compliance period of 3 months is considered reasonable for the removal of the shutter, cladding and signage.
- 7.4 Taking enforcement action in this case may amount to an interference with the owners' and/or occupiers' Human Rights. However, it is necessary for the local planning authority to balance the rights of the owners and/or occupiers against its legitimate aims to regulate and control land within its area. In this particular case it is considered reasonable, expedient, and proportionate and in the public interest to pursue enforcement action on the grounds set out in the formal recommendation.

Appendix 1 – Kursaal Conservation Area Boundary

Kursaal Conservation Area



Delegated Report

Reference:	20/00330/FUL
Application Type:	Full Application
Ward:	Kursaal
Proposal:	Install timber porch to front entrance
Address:	6 Eastern Esplanade, Southend-On-Sea, Essex
Applicant:	Mr Marc Miller
Agent:	Mr Steven Kearney of SKArchitects Ltd
Consultation Expiry:	21st May 2020
Expiry Date:	25th May 2020
Case Officer:	Abbie Greenwood
Plan Nos:	303-P01P (Existing), 303P01P (Proposed Porch), Design and Access Statement reference 303-06-15, Email from agent dated 20.5.20.
Recommendation:	GRANT PLANNING PERMISSION

1 Site and Surroundings

- 1.1 The Britannia is a locally listed building located at the western end of Eastern Esplanade opposite the sea life centre. The original building dates from the late 18th / early 19th century and is one of 3 notable buildings in the Kursaal Conservation Area the others being the Kursaal itself and the former Minerva Inn. The Britannia was built as a house but was changed to an Inn in the mid-19th century and remained so until it was closed a few years ago. The building was left in a poor state of repair.
- 1.2 A proposal for the redevelopment of the site was approved in 2017 and is underway. Because of the poor condition of the building, which had suffered structural and flood damage, the approved scheme only included the retention of the façade of the historic building. The rear of the building was demolished and has been rebuilt as part of the wider redevelopment of the site. The façade has been restored, including the reinstatement of lost features such as the replacement of upvc windows with traditional timber, and, for the most part, is still considered to make a positive contribution to the character of the conservation area. Aspects of the frontage have not been built in accordance with the approved plans. This includes the wider glazed entrance doors and solid metal shuttering which have been installed without consent and garish signage. These elements are of poor design and are causing harm to the character of the locally listed façade, the development scheme and the wider conservation area and are subject of an enforcement investigation.

- 1.3 The wider streetscene has a mixed character including a variety of leisure, commercial uses and residential uses. The area falls within the central seafront policy area as designated by the Southend Central Area Action Plan. The site also falls within flood zone 3.
- 1.4 Opposite the site is the promenade and the beach and foreshore beyond. The foreshore in this location is covered by a number of nature designations.

2 The Proposal

- 2.1 The proposal seeks planning permission to install a new entrance shutter arrangement to replace the unauthorised shutters which have been installed. The proposal seeks to retain the double glass doors which have been installed but to replace the metal roller shutter with a more traditional timber folding shutter which has the appearance of double doors when closed. The shutter will be painted black.
- 2.2 It is also proposed to install a timber rain porch over this entrance which has a leaded canopy and timber panelled sides. The underside and side panels of the porch will be painted white.

3 Relevant Planning History

- 3.1 17/01312/AD - Application for approval of details pursuant to condition 05 (Materials), condition 06 (method statement for front facade), condition 13 (construction method statement), condition 16 (cycle and refuse store details), condition 17 (Asbestos Survey), condition 19 (SUD's) and condition 22 (details of soft and hard landscaping) of planning permission 16/02277/FUL dated 01.03.2017 - granted
- 3.2 16/02277/FUL - Retain front facade, part demolish rear of existing public house, demolish all outbuildings, erect three self-contained flats with ground floor restaurant use (Class A3), install dormers to front elevation, erect four storey block comprising of six self-contained flats to rear with balconies to front, layout parking, cycle store and bin stores (Amended Proposal) – granted

4 Representation Summary

Public Consultation

- 4.1 20 neighbouring properties were consulted, a press notice published and a site notice displayed. No letters of representation have been received.

Historic England

- 4.2 No comments. This building is not listed.

5 Planning Policy Summary

- 5.1 The National Planning Policy Framework (NPPF) (2019)
- 5.2 Core Strategy (2007): Policies KP1 (Spatial Strategy), KP2 (Development Principles), CP4 (The Environment and Urban Renaissance), CP7 (Sport, Recreation and Green

Space).

- 5.3 Development Management Document (2015): Policies DM1 (Design Quality), DM5 (Southend-on-Sea's Historic Environment), DM6 (Seafront), DM15 (Sustainable Transport).
- 5.4 Southend Central Area Action Plan (2018) Policy CS1 (Central Seafront Policy Area Development Principles).
- 5.5 Design & Townscape Guide (2009)
- 5.5 CIL Charging Schedule (2015)

6 Planning Considerations

- 6.1 The considerations in relation to this application are the principle of the development including flood risk, the impact of the proposal on the character and appearance of the locally listed building, the wider conservation area and the seafront generally including the impact on neighbour amenity, any traffic or highways implications, impact on ecology and biodiversity and CIL.

7 Appraisal

Principle of Development

- 7.1 In relation to development within flood risk areas policy KP1 of the Core strategy states: *'Development will only be permitted where that assessment clearly demonstrates that it is appropriate in terms of its type, siting and the mitigation measures proposed, using appropriate and sustainable flood risk management options which safeguard the biodiversity importance of the foreshore and/or effective sustainable drainage measures.'*
- 7.2 Policy KP2 states that new development should be sustainably located including applying the sequential test approach to *'avoid or appropriately mitigate flood risk.'*
- 7.3 Policy DM6 of the Development Management Document states *'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.*
 - iii. 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'.*
- 7.4 The proposal is situated in Flood Zone 3. The existing use of the building is as a fish and chip restaurant (class A3) which is classed as a 'less vulnerable' use by the Environment Agency, however the proposal relates to the entrance details including shutters and porch only. The restaurant use has previously been accepted on this site including an entrance in this location. There is therefore no objection to the principle of the proposed development subject to the other detailed considerations set out below.

Design and Impact on the Character of the Area

- 7.5 In determining this application the Council has a statutory duty under section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which states that special attention should be paid to the desirability of preserving or enhancing the character and appearance of Conservation Areas.
- 7.6 Paragraph 195 of the NPPF states 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 total loss...'*
- 7.7 Paragraph 196 of the NPPF states *'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'*
- 7.8 Policy DM5 seeks to protect the special historic character and significance of the Borough's heritage assets including locally listed buildings and conservation areas and this is supported by SCAAP policy CS1 which states *'The Council through its role in determining planning decisions and other initiatives will.. ensure that all development proposals affecting all designated and non-designated heritage assets, including Conservation Areas, listed and locally listed buildings, conserve and enhance these buildings and their settings in line with Policy DM5 of the Development Management Document;'*
- 7.9 As noted above the frontage of this building is locally listed and, with the exception of the unauthorised works, is considered to be a positive contributor to the character of the conservation area.
- 7.10 The proposal seeks planning permission for an alternative entrance arrangement to that which was originally approved under reference 16/02277/FUL. The 2016 approval sought to restore the frontage of the historic building as part of a wider development of the site and this included the reinstatement of lost features such as the timber sash windows and the removal of the modern porch. A single traditional timber entrance door was approved as part of this initial design, however, during the construction process this was changed to double glass doors to improve access and to increase visibility and light into the premises and a roller shutter added for security.
- 7.11 The proposal will replace the unauthorised roller shutter which has been installed which is considered to cause significant harm to the character of the locally listed façade and the wider conservation area. The current proposal is therefore seeking to provide the same increased security but through a design which is more sensitive to the historic character of the building and the wider conservation area. The proposal also seeks to retain the fully glazed entrance doors which have been installed.
- 7.12 Whilst the glazed entrance doors are not of a traditional design, they have been detailed to a high quality. The proposed replacement folding timber shutter will, however, have the appearance of traditional double doors when closed and can be neatly pinned back

inside the open porch when the premises is open. The porch itself is traditionally detailed and considered to be compatible with the character of the building.

- 7.13 On balance it is considered that the proposal, which uses high quality and appropriate materials, would cause less than substantial harm to the character of the locally listed frontage and wider conservation area and this can be balanced against the improvements in security in this more vulnerable location. The design of the entrance including door, timber shutters and open porch can, on balance, be considered to have an acceptable impact on the character of the building and wider conservation area subject to a condition relating to materials and finishes.
- 7.14 The design, scale and form of the proposal is therefore acceptable and the proposal is policy compliant in respect of design and character and heritage matters.

Impact on Residential Amenity

- 7.15 Policy DM1 of the Development Management Document requires all development to be appropriate in its setting by respecting neighbouring development and existing residential amenities “having regard to privacy, overlooking, outlook, noise and disturbance, sense of *enclosure/overbearing relationship, pollution, daylight and sunlight.*” Ensuring an appropriate relationship with neighbouring properties is also a key requirement of the development brief for this building.
- 7.16 The proposal is for amended entrance arrangements only and will have no material impact on the amenities of neighbouring properties. The proposal is therefore acceptable and policy compliant in its impact on neighbour amenity.

Traffic and Transportation Issues

- 7.17 The proposal is for amended entrance arrangements only and will have no material impact on traffic and transportation issues. The proposal is therefore acceptable and policy compliant in this regard.

Ecology and Biodiversity

- 7.18 The site is opposite the foreshore which has a number of nature designations but given the scale and nature of the development it is considered that the proposal will not have a material impact on the ecology of the area in this regard. The impact of the proposal on ecology and biodiversity is therefore considered to be acceptable.

Community Infrastructure Levy (CIL)

- 7.19 As the proposed extension to the property equates to less than 100sqm of new floorspace, and does not involve the creation of a new dwelling (Class C3), the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable.

8 Conclusion

- 8.1 Having taken all material planning considerations into account, it is found that subject to compliance with the attached conditions, the proposed development would be acceptable and compliant with the objectives of the relevant development plan policies

and guidance. The proposal would be acceptable in principle, including in relation to flood risk, have an acceptable impact on the amenities of neighbouring occupiers and, on balance, whilst aspects of the proposal would cause less than substantial harm, when weight is attached to the public benefits of improved security the proposal would overall have an acceptable impact on the character and appearance of the existing locally listed building, the street scene and the conservation area more widely. There would be no materially adverse traffic, parking or highways impacts caused by the proposed development and the proposal would have an acceptable impact on ecology and biodiversity in the area. This application is therefore recommended for approval subject to conditions.

9 Recommendation

9.1 GRANT PLANNING PERMISSION subject to the following conditions:

01 The development hereby permitted shall begin not later than 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 303-P01P (Existing) and 303P01P (Proposed Porch).

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

03 The folding entrance shutter doors hereby approved shall solely be constructed of timber and painted black and the porch hereby approved shall solely be constructed of white painted timber with a lead covered roof as agreed by email from SK Architects dated 20.5.20.

Reason: To safeguard the visual amenities of the locally listed building and the wider Kursaal Conservation Area. This is as set out in the National Planning Policy Framework (2019), Core Strategy (2007) policies KP2 and CP4, Development Management Document (2015) policies DM1, DM3 and DM5 and advice contained within the Southend Design and Townscape Guide (2009).

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.

Informatives:

01 The applicant is reminded that the existing roller shutter and signage does not benefit from planning permission and is unauthorised. This must be removed. These items are currently the subject of an enforcement complaint. It is therefore recommended that you install this alternative arrangement and remove the unauthorised signage as soon as possible to avoid any enforcement action.

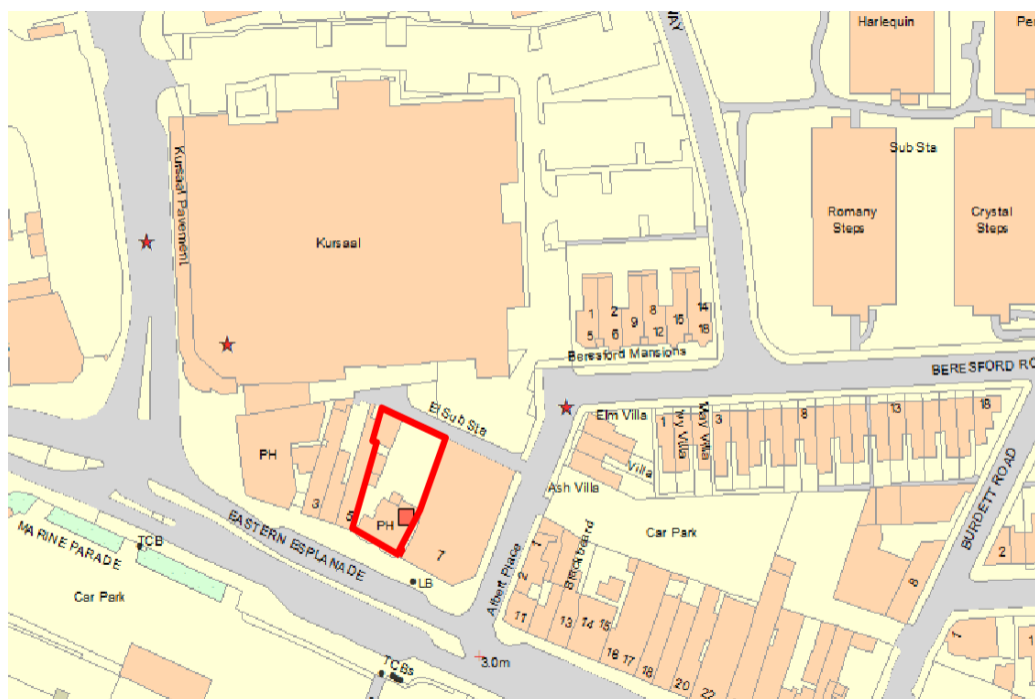
02 You are advised that as the proposed extension(s) to your property equates to less than 100sqm of new floorspace the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See www.southend.gov.uk/cil for further details about CIL

03 You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council may seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the borough.

Case Officer Signature.....AJG.....Date.....22.5.20.....
Senior Officer Signature.....PK.....Date.....22.05.20.....
Delegated Authority
Signature.....Date.....

Appendix 3 – Officers Report 17/01312/AD

Reference:	17/01312/AD
Ward:	Kursaal
Proposal:	Application for approval of details pursuant to condition 05 (Materials), condition 06 (method statement for front facade), condition 13 (construction method statement), condition 16 (cycle and refuse store details), condition 17 (Asbestos Survey), condition 19 (SUD's) and condition 22 (details of soft and hard landscaping) of planning permission 16/02277/FUL dated 01.03.2017
Address:	The Britannia, 6 Eastern Esplanade, Southend-On-Sea, Essex, SS1 2ER
Applicant:	Mr Marc Miller
Agent:	SKArchitects
Consultation Expiry:	N/A
Expiry Date:	09.05.2018
Case Officer:	Janine Rowley
Plan Nos:	N/A
Recommendation:	AGREE DETAILS



1 The Proposal

1.1 It is requested to discharge 7 conditions as set out above and discussed in detail below:

1.2 Condition 3:

No development shall take place until samples of the materials to be used on all the external elevations, including front building-lime render mix, plinth, brick, slate, windows, doors, cills, parapet, roof, guttering, external staircases, signage and design details including sash windows, door, fanlight, dormers, parapet, signage, roof to bays. Rear building- materials, and product detailing for cladding, balconies, roof, windows, doors, coping, balustrade, guttering, edge detailing of roof and undercroft area, and on any screen/boundary walls and fences, and on any external access way, driveway, forecourt or parking area and steps have been submitted to and approved by the local planning authority. The development shall only be carried out in accordance with the approved details.

Reason: To safeguard character and appearance of surrounding area in accordance with Policies DM1, DM5 and DM6 of the Development Management DPD and KP2 and CP4 of the Core Strategy.

1.3 Condition 6:

No development shall take place until a detailed design and method statement relating to the front façade retention has been submitted to and approved in writing by the local planning authority. The works must then be carried out in accordance with the approved design and method statement unless otherwise agreed in writing by the local planning authority.

Reason: To safeguard character and appearance of surrounding area in accordance with Policies DM1, DM5 and DM6 of the Development Management DPD and KP2 and CP4 of the Core Strategy.

1.4 Condition13:

No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide, amongst other things, for:

- i) the parking of vehicles of site operatives and visitors
- ii) loading and unloading of plant and materials
- iii) storage of plant and materials used in constructing the development
- iv) the erection and maintenance of security hoarding
- v) measures to control the emission of dust and dirt during construction

vi) a scheme for recycling/disposing of waste resulting from demolition and construction works that does not allow for the burning of waste on site.

Reason: To safeguard character and appearance of surrounding area in accordance with Policies DM1, DM5 and DM6 of the Development Management DPD and KP2 and CP4 of the Core Strategy.

1.5 Condition 16:

Prior to the commencement of the development hereby approved, details of the siting and appearance of the cycle and refuse store shall be submitted to and agreed in writing by the Local Planning Authority. The proposed development shall then be carried out in accordance with the approved details and the refuse and cycle store shall be provided prior to the occupation of any flats at the site and the commercial premises.

Reason: In order to protect the character and visual amenities of the area and the environment for residents in accordance with policy DM1 of the Council's Development Management DPD and Policies KP2 and CP4 of the Core Strategy DPD1.

1.6 Condition 17:

A full asbestos survey of the building(s) to be demolished shall be carried out by a suitably qualified person prior to demolition. Any asbestos containing material(s) (ACM) must be removed and disposed off-site to a facility licenced by the Environment Agency. A waste transfer certificate must be submitted to the local planning authority prior to development commencing.

Reason: In order to protect the amenities of surrounding occupiers in accordance with policies KP2 and CP4 of the Core Strategy DPD1 and Policies DM1 and DM3 of the Development Management DPD 2015.

1.7 Condition 19:

No development shall take place until details of the implementation, adoption; maintenance and management of the sustainable drainage system have been submitted to and approved in writing by the local planning authority. The system shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include a timetable for its implementation, and a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the effective operation of the sustainable drainage system throughout its lifetime.

Reason: To ensure surface water is adequately managed in the interests of flood prevention and pollution control, in accordance with DPD1 (Core Strategy) 2007 policy KP2.

1.8 Condition 22:

No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. The approved hard landscaping works shall be carried out prior to first occupation of the development and the soft landscaping works within the first planting season following first occupation of the development, unless otherwise agreed in writing by the local planning authority. These details shall include, for example:-

- i. proposed finished levels or contours;
- ii. means of enclosure, including any gates to the car parks;
- iii. car parking layouts;
- iv. other vehicle and pedestrian access and circulation areas;
- v. hard surfacing materials;
- vi. minor artefacts and structures (e.g. street furniture, loggia, bollards, play

equipment, refuse or other storage units, signs, lighting, etc.)

This shall include details of details of the number, size and location of the trees, shrubs and plants to be planted together with a planting specification, details of the management of the site, e.g. the uncompacting of the site prior to planting, the staking of trees and removal of the stakes once the trees are established, details of measures to enhance biodiversity within the site and tree protection measures to be employed during demolition and construction.

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policy DM1 of the Development Management DPD and Policy CP4 of the Core Strategy DPD1.

2 Site and Surroundings

- 2.1 The site is a two storey locally listed building, located on the northern side of Eastern Esplanade between Beach Road and Southchurch Road. The Britannia dates from the late 18th and early 19th century and is one of 3 notable buildings in the Kursaal Conservation Area (the others being the Kursaal and the former Minerva (now Bourgee)). The adjacent buildings include a single storey building to the east of the site currently used as an arcade and to the west are two storey buildings. The western edge of the block is Grade II listed building the Kursaal.
- 2.2 The site is designated within the Development Management Document as being sited in the Kursaal Conservation Area, and is a locally listed building and within flood risk zone 3. The site falls within the Southend Central Area as designated by the Southend Central Area Action Plan.
- 2.3 To the east of the site are two storey terrace dwellings which front Sutton Road.

3 Appraisal

3.1 Condition 5- Materials

Drawing 303 Doc 02 Revision A has been submitted for consideration detailing the materials as follows:

Front building materials

- Lime render mix-
Limetec, smooth finish, off white
- Plinth- PPC aluminium
signage, RAL 7021 Black grey
- Brick- Reclaimed
london stock bricks to match existing
- Tiles- Marley
Canterbury Loxleigh 1423 handmade clay plain roof tiles
- Windows- Black
painted timber sashes with slimlite or equivalent double glazed units
- Doors- Black painted
timber doors
- Cills Existing stone cills
- Parapet- Existing if
possible/ as existing stone parapet under new signage

•	rated Silka trocal single ply	Flat roof- Dark grey AA
•	Painted cast aluminium	Guttering- Black
•	Black Steel staircase	External staircase- PPC
•	aluminium signage laminated to marine ply, RAL 7021 Black grey backing; Rimex plain satin gold lettering	Signage- PPC
•	glazed panel in black painted timber frame	Fanlight Semi circle
•	cheeks	Dormers Lead roof and
•		Roof to bays Lead roof
Rear building materials		
•	satin gold stainless steel	Cladding Rimex plain
•	RAL 1036 Pearl gold mesh	Balcony guarding PPC
•	rated Silka Trocal	Roof Dark grey AA
•	framed PPC RAL 1036 Pearl gold	Windows Aluminium
•	framed PPC RAL 1036 Pearl gold	Doors Aluminium
•	Pearl gold	Coping PPC RAL 1036
•	deck Black PPC vertical railings	Balustrade to amenity
•	dark grey hidden gutters	Guttering Antracite /
•	metal fencing	Fences Black painted
Other		
•		Access ways Asphalt
•		Driveways Asphalt
•		Forecourt
•	Drivesett block paving,	Parking bays, Marshalls
•	As above	Graphite Parking area

It is considered the proposed materials will acceptably conserve the historic façade and enhance its historic and architectural character, setting and townscape value having a positive impact on the Kursaal Conservation Area and will contribute to regenerating the wider seafront in accordance with the National Planning Policy Framework, Core Strategy policies KP2 and CP4, Development Management Document policies DM1, DM3, DM5, DM6 and the Design and Townscape Guide.

3.2 Condition 6- Method Statement for Front Façade

A statement has been submitted by Richard Jackson Engineering Consultants dated 7th July 2017 reference 47690. The statement states:

“In order to retain the façade during the re-development the intention is to construct a small steelwork temporary frame to the front elevation. This steelwork frame would be constructed prior to the demolition of the existing structure, in order to provide lateral stability to the front façade. This temporary steelwork frame will be supported off relatively small pad foundations within a closed section of the footway. These pad foundations will be placed to each side of the existing services run to limit disruption. The front façade will remain founded upon the basement wall construction, whilst the inner area is backfilled & piled, complete with the installation of an in-situ concrete floor. In the permanent case, steelwork support columns will be placed on the inside of the structure at the same position of the outer temporary frames. These new columns in conjunction with the masonry buttress walls over will tie into the existing façade to provide a permanent lateral restraint system. Only once the internal buttress walls have been built will the outer temporary frames be removed. The footway will then be re-instated to suit”.

In addition, a supporting diagram has been received detailing the steel to brick tie demonstrating the method that will be used to tie the existing façade back to the proposed internal retention structure.

The method statement for the front façade has acceptably demonstrated how it will be retained during construction works and post redevelopment.

3.3 Condition 13- Details of construction

A method statement reference 303DOC03 for the construction works at the Britannia Public House details the hours of operation, loading and unloading of materials, storage of plant and materials used in the construction of the development, wheel and underbody washing facilities, dust suppression measures and site security. The Councils Environmental Health Officer and Highways Officer has raised no objections as the reports contain noise mitigation and health and safety measures satisfying condition 13 of application 16/02277/FUL.

3.4 Condition 16- Cycle and Refuse Storage

Drawing 303DOC06 has been submitted for consideration detailing the siting of the cycle store to accommodate 10 cycles in a two tier bike rack to the west of the front building at ground floor. The cycle storage is considered to be acceptable in accordance with policy DM15 of the Development Management Document.

In relation to the refuse store, this will be located to the ground floor to the rear of the commercial premises enclosed and to the rear of the flats adjacent to the access road as shown on drawing 303DOC02RevisionA. The waste management plan accompanying this application confirms two containers will be provided for recyclable waste and one for general waste for the commercial premises. The residential units will include three containers. The servicing of the waste will include management staff of the commercial premises and residential flats overseeing the storage and collection of the waste, which will be from Beach Road to the east and

the waste contractor will identify and determine the environmental issues requiring attention and implementation of the measures to achieve continuous improvement. In particular, attention will be given to the use and re-use of materials to minimise and curtail creating waste and whenever practicable, using materials and products from substantial sources. The Councils Refuse Officer has raised no objections.

3.5 *Condition 17- Asbestos Survey*

A number of documents including Asbestos Management and Specific Refurbishment Survey Report carried out by Challen Commercial Investigations Limited dated 20.02.2014, EN Safe Asbestos Certificates November 2014, EN Safe Asbestos Plan of Work October 2014 and a hazardous waste regulation certificate received 26.04.2018. The Councils Environmental Health Officer considers the submitted information is satisfactory and no further information is required.

3.6 *Condition 19- Details of SUDS*

A letter from HJ Structural Engineers dated 17th July 2017 reference MAS023 has been submitted for consideration. The letter refers to the Flood Risk Assessment produced by SLR Global Environmental Solutions reference 405.06372.0001 dated May 2016 which refers to the surface water management. The proposed development would not provide any additional areas of hardstanding or impermeable surfacing and will retain the existing drainage arrangements. Taking into account the prevailing ground conditions referred to within the Phase Two Ground Investigation Report by Richard Jackson Limited reference 47690 given the shallow depth of the groundwater at the site, infiltration drainage using SUDs techniques are therefore not appropriate. Given the use existing drainage arrangements from the site will not increase the surface water discharge and the proposal will be carried out in accordance with the approved Flood Risk Assessment so no objection is raised.

3.6 *Condition 22- Details of landscaping*

Drawing 303DOC02RevisionA has been submitted for consideration detailing the new ornamental shrub planting and specimen shrub planting to be installed to the first floor amenity deck. A landscaping plan also details a planting specification of how the landscaping will be planted in accordance with BS4428:1989.

The hard landscaping details on drawing 303DOC02RevisionA and materials listed under paragraph 3.1 above to the access ways, forecourt and parking area.

The details of the soft and hard landscaping will acceptably enhance the character and appearance of the development, historic environment and surrounding area in accordance with Policies KP2 and CP4, Policies DM1 and DM3 of the Development Management Document and the Design and Townscape Guide.

4 Planning Policy

4.1 National Planning Policy Framework (2012)

4.2 Core Strategy (2007) Policies KP1 (Spatial Strategy), KP2 (Development Development Control Report

Principles), CP4 (The Environment and Urban Renaissance)

4.3 Development Management Document (2015) Policies DM1 (Design Quality), DM2 (Low carbon development and efficient use of resources), DM3 (The Efficient and effective use of land), DM5 (Southend on Sea Historic Environment), DM7 (Dwelling Mix, size and type), DM8 (Residential Standards), DM15 (Sustainable Transport Management)

4.4 Design & Townscape Guide 2009

4.5 Waste Management Guide

5 Consultations

Design and Regeneration

5.1 No objections.

Highways

5.2 No objections.

Foreshore Engineer

5.2 No objections.

Environmental Health Officer

5.3 The supporting information for the asbestos survey appears satisfactory and no further information is required.

Refuse Officer

5.4 No objections.

6 Planning History

6.1 Retain front facade, part demolish rear of existing public house, demolish all outbuildings, erect three self-contained flats with ground floor restaurant use (Class A3), install dormers to front elevation, erect four storey block comprising of six self-contained flats to rear with balconies to front, layout parking, cycle store and bin stores (Amended Proposal)- Granted (16/02277/FUL)

7. Recommendation

Agree the following conditions:

05 The details of materials as set out on the materials listed on drawing 303 DOC 02 Revision A are agreed in accordance with condition 5 of application 16/02277/FUL.

06 The details of facade retention as detailed within the Richard Jackson Engineering Consultants report dated 7th July 2017 reference 47690 and

drawing 303 DOC 01 are agreed in accordance with condition 6 of application 16/02277/FUL.

- 13 The details of construction method statement received 24th July 2017 and mitigation measures contained within the dust management plan are agreed in accordance with condition 13 of application 16/02277/FUL.
- 16 The details of the cycle refuse storage shown on drawing 303 DOC 06 is agreed in accordance with condition 16 of application 16/02277/FUL.
- 17 The details of the asbestos survey including Asbestos Management and Specific Refurbishment Survey Report carried out by Challen Commercial Investigations Limited dated 20.02.2014, EN Safe Asbestos Certificates November 2014, EN Safe Asbestos Plan of Work October 2014 and a hazardous waste regulation certificate received 26.04.2018 and mitigation measures contained within the dust management plan carried out by ASHE are agreed in accordance with condition 17 of application 16/02277/FUL.
- 19 The details of the sustainable urban drainage systems contained in supporting statement from HJ Structural Engineers dated 17th July 2017 reference MAS023 is agreed in accordance with condition 19 of application 16/02277/FUL.
- 22 The details of the soft and hard landscaping shown on drawing 303 DOC2 Landscape Revision A and materials list are agreed in accordance with condition 22 of application 16/02277/FUL.

Case Officer SignatureDate.....

Senior Officer Signature.....Date.....

Delegated Authority

Appendix 4 – Officers Report 16/02277/FUL

Reference:	16/02277/FUL
Ward:	Kursaal
Proposal:	Retain front facade, part demolish rear of existing public house, demolish all outbuildings, erect three self-contained flats with ground floor restaurant use (Class A3), install dormers to front elevation, erect four storey block comprising of six self-contained flats to rear with balconies to front, layout parking, cycle store and bin stores (Amended Proposal)
Address:	The Britannia, 6 Eastern Esplanade, Southend-on-Sea, Essex, SS1 2ER
Applicant:	Stockvale Investments Ltd
Agent:	SKArchitects Ltd
Consultation Expiry:	25.02.2017
Expiry Date:	08.03.2017
Case Officer:	Janine Rowley
Plan Nos:	303/P01 Revision C; 303P07 Revision A; 303P03 Revision B; 303P02 Revision B; 303P08 Revision A; 303P05 Revision B; 303P04 Revision A; 303P06 Revision C
Recommendation:	GRANT PLANNING PERMISSION



The Proposal

- 1.1 Planning permission is sought to retain the front façade of the existing building and part demolish the rear together with demolition of all outbuildings to erect three self-contained flats with ground floor restaurant use (Class A3), install dormers to front elevation, erect four storey block comprising of six self-contained flats to rear with balconies to front, layout parking, cycle store and bin stores.
- 1.2 The building fronting Eastern Esplanade is 12.3m wide x 11.1m-16.5m deep x 8.6m. The rear element of the proposed development is 16m-17.8m wide x 11.6m deep x 11.6m-13.1m high.
- 1.3 The internal floorspace of the proposed flats is as follows:

	Flat type 1	Flat type 2	Flat type 3	Flat type 4	Flat type 5
	2 bed (3 person)	2 bed (3 person)	1 bed (2 person)	1 bed (2 person)	1 bed (2 person)
	61sqm	63sqm	73sqm- 2 floors	73sqm- 2 floors	70sqm- 2 floors
National technical Housing Technical Standards	61sqm	61sqm	58sqm	58sqm	58sqm

- 1.4 To the rear is an amenity 107sqm at first floor. Refuse and cycle storage is located to at ground floor to the rear of the commercial premises with 9 parking spaces accessed from Beach Road.
- 1.5 The application is accompanied by a design and access statement, structural report, noise impact assessment, flood risk assessment, heritage statement.
- 1.6 It should be noted since the application has been received a number of amendments and clarifications have been provided and neighbours re-notified the main changes from the original submission include:
- Extending side gables to meet the new ridge of the existing building
 - Cross section of the flank elevation showing the set back and angle between the gables to understand roof design;
 - Corrected elevations and floorplans as windows appeared inconsistent
 - Demolition clarified with a demolition plan;
 - Revised dormer design to a traditional approach

2 Site and Surroundings

- 2.1 The site is a two storey locally listed building, located on the northern side of Eastern Esplanade between Beach Road and Southchurch Road. The Britannia dates from the late 18th and early 19th century and is one of 3

notable buildings in the Kursaal Conservation Area (the others being the Kursaal and the former Minerva (now Bourgee)). The adjacent buildings include a single storey building to the east of the site currently used as an arcade and to the west are two storey buildings. The western edge of the block is Grade II listed building the Kursaal.

- 2.2 The site is designated within the Development Management Document as being sited in the Kursaal Conservation Area, and is a locally listed building and within flood risk zone 3. The site falls within the Southend Central Area as designated by the Southend Central Area Action Plan.

3 Planning Considerations

- 3.1 The main considerations in relation to this application are the principle of the development, flood risk, design and impact on the character of the area and the conservation area, traffic and transportation issues, impact on residential amenity, sustainable construction and CIL.

4 Appraisal

Principle of Development

National Planning Policy Framework, Core Strategy Policies KP2, CP4, and CP8, Development Management DPD2 policy DM1, DM3, DM5 and DM6, and the Design and Townscape Guide DP1 (2009)

- 4.1 This site is in a prominent location on the seafront and can be viewed from a considerable distance in both directions along the promenade. The site is located within The Kursaal Conservation Area and the proposal includes the retention of the existing façade of the building and the demolition of the rear of the building including all existing outbuildings. Paragraph 131 of the NPPF relating to conserving and enhancing the historic environment states:

"In determining planning applications, local planning authorities should take account of:

- *the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- *the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- *the desirability of new development making a positive contribution to local character and distinctiveness".*

- 4.2 Paragraph 128 of the NPPF, states that when determining applications, Local Planning Authorities should require applicants to describe the significance of the heritage assets affected and the contribution made by their setting. The level of detail provided should be proportionate to the significance of the asset and sufficient to understand the impact of the proposal on this significance. This is supported by paragraph 129 of the NPPF, which requires local planning authorities to identify the significance of any heritage assets.

Paragraphs 132 to 136 of the NPPF consider the impact of a proposed development upon the significance of a heritage asset, emphasising the importance of conserving heritage assets and that harm or loss to a heritage asset requires clear and convincing justification.

- 4.3 The Kursaal Conservation Area was formed around 1896-1901. Although small the conservation area also includes two other significant buildings. The Minerva was built in 1792 and is much older than the Kursaal and the Britannia public house was built originally as a house in the 18th Century. The Britannia was originally built as a house but was changed to an Inn in the mid-19th century and remained so until it closed a few years ago. It has been a long standing feature of the seafront and as such is an important part of its history. Whilst the Britannia has altered in its original character, it is still evident and is considered to make a positive contribution to the character of the conservation area, primarily relating to the public views of front of the existing building.

- 4.4 Part 3 of Policy DM6 of the Development Management Document requires all new development within the Seafront Area to ensure that:

“Existing buildings along the seafront form a cohesive frontage, have a historic context or are recognised as key landmarks and/or contribute to a distinctiveness 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.”

- 4.5 Part 3 of Policy DM5 of Development Management Document states:

“3. Development proposals that result in the loss of or harm to the significance of a non-designated heritage asset, such as a locally listed building or frontages of townscape merit, will normally be resisted, although a balanced judgement will be made, having regard to the scale of any harm or loss, the significance of the asset and any public benefits”.

- 4.6 The Design and Access Statement accompanying this application states the public house ceased trading in the first few months of 2015 due to continued flooding and the structural condition of the main building. The original building dates back to the 1880s and had original red brick, multi paned timber sash windows, Georgian door and fanlight detail including a parapet, which is raised and pedimented.

The building has had a number of unsympathetic alterations to the front including the application of rough cast cement render, upvc windows, the replacement of original slates with cement tile and the loss of the parapet and signage, which has resulted in a detrimental impact on the character of the building and the wider conservation area.

- 4.7 The structural report carried out by Richard Jackson Engineering Consultants (referenced: JM/AJL/47690) concludes there is some historic fabric within the

building which structurally can be retained in terms of the front elevation and right hand flank wall and left hand flank wall. The first floors have changed in historic fabric and a number of areas are failing in terms of their structural integrity. The main findings of the report states there is significant bowing in the western stack caused by the lack of restraint of the first floor and eaves level. Modern timbers and a steel frame have been installed in the front section. There is spalling of front brickwork, loose bricks and cracking on the internal flanks and upstairs. The front façade could be retained but would need steel restraint internally during construction and water ingress has occurred at ground floor during the flooding of the seafront and this may have affected the integrity of the base of the walls.

- 4.8 Notwithstanding the submitted details, Council officers have also carried out a site visit to inspect the condition of the existing building and have noted the appearance the building has been substantially altered internally and to the rear including a significant opening up inside which had impacted on the original plan form and a significant loss of historic fabric including most of the lath and plaster on the walls and ceilings and associated features such as skirting boards, cornices and fire surrounds. The removal of the ceilings had exposed the joists and rafters and there were a significant proportion of new timbers throughout the building. New timber stud walls were also noted as well as the installation of a modern concrete floor at ground level. Access was not available to the first floor for safety reasons but supporting evidence in the form of photos of this area show evidence of deflection of the western gable where gapping can be seen to the floor, significant cracking, loss of historic fabric as noted above and replacement with modern fabric similar to the ground floor. Remnants of the rear weather boarded wing were also evident albeit in a poor condition and significantly extended including poor quality modern additions and partially rebuilt with concrete blockwork in the original extension.
- 4.9 Historic England have also reviewed the proposals and considered due to the extent of alterations to the existing Britannia Public House it would not meet the criteria for listing.

- 4.10 In light of the above, whilst the development proposals are seeking to demolish the rear of the existing locally listed building it has been demonstrated that a significant amount of historic fabric has been lost over the years and not worthy of preservation. The retention of the front façade is welcomed and considered to be the most significant element of this non-designated heritage asset and will continue to provide a positive contribution to the Kursaal Conservation Area.

Flood Risk

National Planning Policy Framework; DPD1 (Core Strategy) policies KP1, KP2

- 4.11 The site is located within Flood Zone 3a (high probability of flooding) and the applicant has submitted an FRA which considers risk of flooding, access and resilience measures.
- 4.12 Paragraph 103 of the NPPF states:

“When determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment following the Sequential Test, and if required the Exception Test, it can be demonstrated that:

- *within the site, the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location; and*
- *development is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed, including by emergency planning; and it gives priority to the use of sustainable drainage systems.”*

- 4.13 The proposed site falls within the Central Seafront Area under Policy KP1 of the adopted Core Strategy. This area is promoted as an area for regeneration and growth. The preamble to KP1 notes there are limited options to achieve regeneration and growth within the borough and that development on flood plains would be considered. Policy KP1 directs development into the area in which the site falls. This policy was adopted following The Thames Gateway South Essex Partnership Strategic Flood Risk Assessment. A total of 550 new dwellings have been earmarked for the seafront area between 2001-2021. It is considered further development in the central seafront area is acceptable in

principle subject to a site specific investigation.

The proposal is therefore considered to pass the requirements of the sequential test.

- 4.14 For the exceptions test to be passed it must be demonstrated that
- a) The development provides wider sustainability benefits to the community that outweigh flood risk
 - b) The development should be on developable, previously developed land
 - c) A flood risk assessment must demonstrate that the development will be safe, without increasing flood risk elsewhere, and where possible, will reduce flood risk overall.
- 4.15 The proposal would provide sustainability benefits by resulting in a more efficient use of land. The site is also previously developed land. Parts A and B of the exceptions test of the NPPF are therefore, considered to be satisfied in this instance.
- 4.16 Part C of the exception test set out in in the NPPF, requires development to be safe. The Environment Agency advises that the safety of residents is reliant upon either evacuation prior to floodwater reaching the site or safe refuge, above the flood level.
- 4.17 The Flood Risk Assessment prepared by SLR Consulting Limited, referenced 405.06372.00001 issue 1 dated May 2016 has been submitted for consideration. The Environment Agency has recommended first floor levels to be set to 6.3m AOD ensure that future residents are protected from any possible overtopping and breaching of defences and this can be dealt with by condition. A flood evacuation plan is required by condition and the applicant will be advised to sign up to the Environment Agency's early flood warning service.

Design and impact on the Kursaal Conservation Area

National Planning Policy Framework; DPD1 (Core Strategy) policies KP2, CP4, CP3; policies DM1, DM3, DM5, DM6 of the DPD2 (Development Management Document) and the Design and Townscape Guide SPD1.

- 4.18 Policy DM5 of the Development Management Document states:
- "All development proposals that affect a heritage asset will be required to include an assessment of its significance, and to conserve and enhance its historic and architectural character, setting and townscape value".*

4.19 Part 3 of policy DM5 of the Development Management states:

“Development proposals that result in the loss of or harm to the significance of a non-designated heritage asset, such as a locally listed building or frontages of townscape merit, will normally be resisted, although a balanced judgement will be made, having regard to the scale of any harm or loss, the significance of the asset and any public benefits”.

4.20 As stated above, the development proposals are seeking to demolish the rear of the existing locally listed building and it has been demonstrated that a significant amount of historic fabric has been lost and not worthy of preservation.

Historic building

4.21 Given the condition of the existing building the applicant is now proposing to retain the front façade, east gable and part of the west gable with a new extension to the rear. A two storey rear extension is proposed including a raise in roof height to enable the roof to accommodate habitable accommodation with front and rear dormers of traditional design. The proposed increase in height of the ridge would remain of a reasonable scale in relation to the proportion of the front façade. The dormers appear modest in scale and align with the existing windows, ensuring the proposed development will not appear top heavy or over dominant. The proposal also includes a number of changes to the front elevation of the locally listed façade include the replacement of render with lime render, new timber sash windows to match the traditional style, reinstatement of traditional slate on the roof and parapet design together with the removal of a modern porch and reinstatement of the original door and fanlight design.

4.22 There is a high risk the retention of the whole building would itself require significant rebuilding and is very unlikely to be viable in this case and could result in high risk for further deterioration of the building. Overall, it is considered the proposed changes to the existing building will retain the most prominent and public elevation of the Britannia conserving the historic façade and enhancing its historic and architectural character, setting and townscape value having a positive impact on the Kursaal Conservation Area and contribute to regenerating the wider seafront in accordance with the NPPF, Core Strategy policies KP2 and CP4, Development Management Document policies DM1, DM3, DM5, DM6 and the Design and Townscape Guide.

New flatted block to the rear

4.23 The four storey flatted block proposed to the rear of the site is a simple modern design with interest and articulation with an angled footprint and

angled roof with high quality cladding metal shingles (similar to that used in Leigh Hill historic buildings within the Leigh Conservation Area reference: 14/00974/FUL). The main fenestration is proposed to the front including set in balconies adding shadowing and depth to the elevation. Given the set back from the frontage the proposed building appears modest at four storeys and would not appear out of place in this context given the significant massing of the Kursaal extension. The building will help to screen the existing Kursaal extension, which adds little interest to the streetscene and the visuals illustrate the proposal will have low impact on the skyline and the Britannia frontage will remain the principle elevation. Whilst there is a change in the character between the two buildings it is considered the contrasting modern solution is the most appropriate option. The overall simplicity of form and quality of detailing and materials of the new block will not compete with the historic frontage of the Britannia, the Kursaal and the wider conservation area.

- 4.24 In relation to the overall layout, the residential units are accessed via a gate to the side of the historic building via a staircase to the deck or via the parking area to the rear of the site. The gate to the side of the existing building is an original feature and the retention is welcomed given there is no reasonable opportunity to have a residential entrance in the historic façade. The staircase is set back from the frontage and will not be readily visible in the streetscene. The amenity deck at first floor will provide opportunity for a high quality useable amenity space and full details of the landscaping will be dealt with by condition. The parking, cycle and refuse storage is proposed to the ground floor within the undercroft area, which is welcomed and further details on the cycle and refuse storage will be dealt with by condition.

Living Conditions for Future Occupiers
National Planning Policy Framework 2012, Development Management Policy DM8, The National Technical Housing Standards DCLG 2015

- 4.25 The proposed internal floor spaces for the flats are set out in paragraph 1.3 above and meet the National Technical Housing Standards. The proposed units are in excess of the minimum standards and all habitable rooms would be served by sufficient windows which would provide acceptable light and outlook for potential future occupiers.
- 4.26 Policy DM8 (iii) states that all new dwellings should meet the Lifetime Home Standards, unless it can be clearly demonstrated that it is not viable and feasible to do so. Lifetime Home Standards has now been superseded by the National Technical Housing Standards and all new dwellings are required to meet building regulation M4 (2)- 'accessible and adaptable dwellings'.

Sufficient information has been submitted to demonstrate that the proposal meets the criteria for the Building Regulation M4 (2). Drawing 303P06 Revision C proves the development would be accessible and adaptable for older people or wheelchair users, in accordance with the NPPF, Policy DM8 of the Development Management DPD and National Housing Standards 2015.

- 4.27 One of the core planning principles of the NPPF is that the planning system should “*always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings*”. Policy DM8 of the Development Management Document states that all new development should make provision for usable private outdoor amenity space for the enjoyment of intended occupiers; for flatted schemes this could take the form of a balcony or easily accessible semi-private communal amenity space. Residential schemes with no amenity space will only be considered acceptable in exceptional circumstances, the reasons for which will need to be fully justified and clearly demonstrated.
- 4.28 The Council’s Design and Townscape Guide states:
- “Outdoor space significantly enhances the quality of life for residents and an attractive useable garden area is an essential element of any new residential development”.*
- 4.29 Drawing 303P02 Revision D illustrates an amenity deck at first floor equating to 107sqm, approximately 11.8sqm per unit. Whilst no landscaping details have been provided to detail how this communal area will be used, this can be dealt with by condition. The three flats proposed above the restaurant fronting Eastern Esplanade will not have any provision for private amenity space. However, the rear element of the proposal, where 6 flats are proposed will benefit from balconies, which are considered useable amenity space in addition to the amenity deck at first floor. Taking into account the location of the site on the seafront in the central area of Southend, the provision of amenity space is considered acceptable in this instance.

Traffic and transportation

National Planning Policy Framework; DPD1 (Core Strategy) policies KP2, CP4, CP3; policy DM15 of the DPD2 (Development Management Document) and the Design and Townscape Guide SPD1.

- 4.30 The existing site is accessed from Beach Road via an existing access road to the rear of the site and does not benefit from off street parking for the existing use.
- 4.31 Policy DM15 of the Development Management Document states that a minimum 1 car parking space per flat shall be provided in this location and 1 space per 6sqm for the A3 restaurant use. The proposed development will include 9 spaces for the residential flats, which is policy compliant and there is sufficient turning area to enable vehicles to manoeuvre effectively within the site. Whilst the restaurant use will not benefit from off street parking, consideration has to be given for the existing use, which does not benefit from off street parking and taking into account the location of the site with access to public transport including a number of public car parks within walking distance and therefore no objection is raised on highway grounds.
- 4.32 Bike storage will be located within the basement for 18 cycle spaces which is

welcomed and complies with policy DM15 of the Development Management Document, however a further condition will be imposed to ensure full details are submitted and agreed with the local planning authority.

Refuse storage

- 4.33 The refuse store will be located to the ground floor within the undercroft parking area including both commercial and residential refuse storage. Whilst the location of the refuse store exceeds current policy guidance, a suitable condition can be imposed to ensure full details of waste management collection and storage are provided.

Impact on Residential Amenity:

NPPF; DPD 1 (Core Strategy) Policies KP2 and CP4; Southend-on-Sea; DPD2 (Development Management Document) policy DM1 SPD 1 (Design & Townscape Guide (2009)

- 4.34 Policy DM1 of the Development Management Document states that any new development should protect the amenity of the site, immediate neighbours, and surrounding area, having regard to privacy, overlooking, outlook, noise and disturbance, visual enclosure, pollution, and daylight and sunlight. Paragraph 343 of SPD1 (under the heading of Alterations and Additions to Existing Residential Buildings) states, amongst other criteria, that extensions must respect the amenity of neighbouring buildings and ensure not to adversely affect light, outlook or privacy of the habitable rooms in adjacent properties.
- 4.35 The existing building is site 1.5m away from the boundary with no. 5 Eastern Esplanade to the west of the site. The adjacent buildings to the west of the site have commercial premises to the ground floor and residential flats to the first floor. To the north of the site is Kursaal building, which is also a commercial building. The overall height of the building 8.6m fronting Eastern Esplanade and the rear element of the proposed development is between 11.6m-13.1m high. It is not considered the development will be overbearing, result in overshadowing or loss of light to any nearby residential occupiers given the location of the site.
The nearest residential dwellings in Beach Road are located in excess of 30m, which is sufficient to mitigate against any material harm.

Sustainable Development

National Planning Policy Framework; DPD1 (Core Strategy) Policies KP2 and CP4; Development Management DPD2 policy DM2; the Design and Townscape Guide SPD1 (2009).

- 4.36 National guidance and relevant planning policy statements together with the Policy KP2 of the Core Strategy and advocate the need to ensure design maximises the use of sustainable and renewable resources in the construction of development. It also states that all development proposals should demonstrate how they will maximise the use of renewable and recycled energy, water and other resources and at least 10% of the energy needs of

new development should come from on-site renewable options and sustainable urban drainage systems shall be successfully integrated. Policy DM2 advocates the need to ensure the delivery of sustainable development whereby all development proposals should contribute to minimising energy demand and carbon dioxide emissions.

- 4.37 The applicant has confirmed photovoltaic panels will be mounted to the flat roof of the rear block not visible from the public domain, which is welcomed. However, a condition will be imposed to ensure full details of the calculations are provided to ensure the proposal meets the requirements of policy KP2 of the Core Strategy.
- 4.38 Policy KP2 of the Core Strategy advocates the need for sustainable drainage. No details accompany this application however this can also be dealt with by condition in this case.
- 4.39 Policy DM2 of the Development Management Document part (iv) requires water efficient design measures that limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption). Such measures will include the use of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting. Whilst details have not been submitted for consideration at this time, this can be dealt with by condition.

Other issues

Noise

- 4.40 Paragraph 123 of the National Planning Policy Framework states:

“Planning policies and decisions should aim to:

- *avoid noise from giving rise to significant adverse impacts 27 on health and quality of life as a result of new development;*
- *mitigate and reduce to a minimum other adverse impacts 27 on health and quality of life arising from noise from new development, including through the use of conditions;*
- *recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established; 28 and*
- *identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason”.*

- 4.41 The application is accompanied by an Environmental Noise Impact Assessment carried out by Impact Acoustics (report reference: IMP5005-1). The assessment states the development will be compliant with the relevant BS standards for sound insulation and noise reduction in buildings. Given the current use of the existing building as a public house, the impact of the new development, which will be built to modern construction standards, is likely to be less than currently. The report provides a number of mitigation measures to ensure the proposal protects the amenities of existing and future residential occupiers and will be dealt with by condition.
- 4.42 The positioning of the ventilation and extraction plant for the restaurant use is proposed to exit via ducting on the rear building between the proposed flats expelling from the roof. Whilst the specific details of the equipment have not been provided this can be dealt with by condition to ensure the amenities of future occupiers are safeguarded. The Council's Environmental Health Officer is currently reviewing Environmental Noise Impact Assessment and further comments will be reported in the supplemental report.

Ecology

- 4.42 The development is sufficiently distanced from the estuary SSSI and Ramsar site and would not detract from the local ecological assets.

Community Infrastructure Levy (CIL) Charging Schedule.

- 4.43 This application is CIL liable and there would be a CIL charge payable if approved. 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. The existing floorspace of the buildings to be demolished is 216.48sqm. The proposed development will result in a net increase in gross internal area of 588.71sqm for the nine flats (Class C3) and 150.78sqm for the restaurant/café use (Class A3). The CIL rate for the residential use is £22 per sqm and commercial use at £11 per sqm which equates to approximately £9971.88. This is subject to confirmation.

Conclusion

- 4.44 In light of the above, no objection is raised to a mixed use development in this location given the proposal complies with the emerging Southend Central Area Action Plan. The proposed development will retain the front façade of the existing locally listed building. The demolition of the rear of the existing public house is regrettable however; given the current condition is no longer worthy of preservation. The site is located in a flood risk zone 3a, however subject to conditions no objections have been raised by the Environment Agency in relation to flood risk issues and the site is located within the central area which is promoted for regeneration and growth. The overall design and scale of the proposed development is considered acceptable and will provide a contrasting

modern solution not competing with the existing historic façade, Kursaal Conservation Area and streetscene. The parking for the residential flats is policy compliant. The proposed development will continue to preserve and enhance the Kursaal Conservation Area in accordance with the National Planning Policy Framework, Policies KP1, KP2 and CP4 of the Core Strategy (DPD1), Policies DM1, DM3, DM5 and DM8 of the Development Management Document and the Design and Townscape Guide (SPD1).

5 Planning Policy Summary

- 5.1 National Planning Policy Framework
- 5.2 Development Plan Document 1: Core Strategy Policies KP1 (Spatial Strategy), KP2 (Development Principles), CP4 (The Environment and Urban Renaissance)
- 5.3 Development Plan Document 2: Development Management Document Policies DM1 (Design Quality), DM2 (Low carbon development and efficient use of resources), DM3 (The Efficient and effective use of land), DM5 (Southend on Sea Historic Environment), DM7 (Dwelling Mix, size and type), DM8 (Residential Standards), DM15 (Sustainable Transport Management)
- 5.4 SPD1 Design & Townscape Guide 2009
- 5.5 Waste Management Guide
- 5.6 Community Infrastructure Levy (CIL) Charging Schedule
- 5.7 National Technical Housing Standards DCLG 2015

6 Representation Summary

Design and Regeneration

- 6.1 The Britannia dates from the late 18th / early 19th century and is one of 3 notable buildings in the Kursaal Conservation Area the others being the Kursaal itself and the former Minerva (now Bourgee). It was built as a house but was changed to an Inn in the mid-19th century and remained so until it was closed a few years ago. It has been a long standing feature of the seafront and as such is an important part of its history. A photo of the building dated 1880 shows its original red brick, multi-paned timber sash windows, Georgian door and fanlight detail as well as the parapet which is raised and pedimented and was added to enable signage for the Inn. The bay windows were also added later just prior to conversion.

Unfortunately the building has suffered a number of unsympathetic alterations to the front including the application of rough cast cement render, upvc windows, the replacement of original slates with cement tile and the loss of the parapet and signage and this has had a detrimental impact on the character of the building and the wider conservation area. However, there is the potential for these aspects to be reinstated and for the frontage and were this to happen the building would be significantly enhanced and make a more positive contribution to the conservation area and wider streetscene.

The site visit revealed that, in addition to the change to the external appearance, the building had been substantially altered internally and to the rear including significant opening up inside which had impacted on the original plan form and a significant loss of historic fabric including most of the lath and plaster on the walls and ceilings and associated features such as skirtings, cornices and fire surrounds. The removal of the ceilings had exposed the joists and rafters and here too there was a significant proportion of new timbers throughout the building. New timber stud walls were also noted as well as the installation of a modern concrete floor at ground level. Access was not available to the first floor for safety reasons but photos of this area show evidence of deflection of the western gable where gapping can be seen to the floor, significant cracking, loss of historic fabric as noted above and replacement with modern fabric similar to the ground floor. It was also noted a number of unauthorised structural alterations had been made to the building internally which was threatening its integrity.

Remnants of the rear weather boarded wing seen in the photo of 1880 also still survive, albeit in a poor condition and significantly extended including poor quality modern additions and partially rebuilt with concrete blockwork in the original extension. The photo shows that this element of the building was originally visible to the street and part of the seafront character but is now obscured by the neighbouring building and as such does not make a visible contribution to the character of the conservation area.

Whilst the building appears to be in a reasonable state of repair from the front, this is misleading and the current condition of the building is a concern and as such this building is can be classed as at risk.

Given the age of the building and its history, if it was intact it may be considered suitable for national listing but enquiries with Historic England have confirmed that because of the extent of alteration to the building it would not be eligible. The local historic importance of the building is, however, recognised in its status as a locally listed building and as a positive contributor to the Kursaal Conservation Area where its front façade is an important part of the streetscape.

Following concerns raised by the Council and by the public to the total loss of the building the application for total demolition was withdrawn the building was reappraised by a new structural engineer with experience of historic buildings. This report found that:

- There is a significant bowing in the western stack caused by the lack of restraint of the first floor and eaves level - the report states that this gable needs to be rebuilt.
- The eastern gable appears reasonable
- Modern timbers and a steel frame have been installed in the front section
- Some spalling of front brickwork, loose bricks and cracking on the internal flanks and upstairs (viewed where the internal plaster has been stripped) and this will need to be repaired in places where bricks are missing
- The front façade could be retained but would need steel restraint internally during construction which will be costly
- Water ingress has occurred at ground floor during the flooding of the seafront and this may have affected the integrity of the base of the walls

It seems that the most significant problem is the bowing and lack of stability of the western flank such that this would require rebuilding. Discussions with the Councils Structural Engineer have confirmed that this is indeed the case and that the situation is compounded by the lack of stability in the rear wall which is only timber. It would therefore seem that an element of demolition would be required whatever the proposal.

Given the condition of the building and the general desire from all parties to see it retained in some form the applicant is now proposing a scheme of façade retention which would see the front elevation, east gable and part of the west gable retained with a new extension behind. This would require the elements to be retained to be propped whilst repairs and extension works were undertaken. They are also proposing a number of significant enhancements to the front facade including replacement of the render with breathable lime render, new timber sash windows to match the original style, reinstatement of traditional slate on the roof, reinstatement of the parapet, removal of modern porch and reinstatement of the original door and fanlight design.

A new two storey extension is proposed to the northern side of building which will extend the depth of the building at both levels to be effectively double the width of the central section. It is also proposed to raise the ridge of the roof to enable roof accommodate with front and rear dormers and a flat roof section in between. The ground floor is proposed as a Fish and Chip restaurant with 3 x 1b flats on the upper floors.

To the rear a new modern block of 4 storeys is proposed to provide the enabling development for the scheme. This is set well back and will not be prominent from the street although would be partially visible in longer views. Parking for the residential units and refuse and cycle parking for all uses is provided at ground level behind the front building. An amenity deck is proposed above linking the two buildings.

Generally the changes to the front elevation, if well detailed, will retain the historic streetscene and enhance the public face of the Britannia and this will have a positive impact on the conservation area and help to regenerate the wider seafront. The only alteration proposed to the front elevation is the raising of the ridge and the insertion of 3 dormers to the front roofslope. Whilst this unlikely be acceptable for a listed building, given that the building is only locally listed and at significant risk there is more scope for sympathetic alterations which are respectful to the historic character of the building. It is noted that the existing roof is very shallow and the proposed increase would remain of a reasonable scale in relation to the proportion of the front facade. The dormers are modest in scale and aligned with the existing windows which should ensure that the proposal will not appear top heavy or over dominant. Overall, therefore, it is considered that, although this is not the original design, this change will appear convincing in the streetscene provided design of the dormers and windows are well detailed.

It is noted that, whilst the western flank will be screened by the neighbouring terrace, the extended form of the building may be glimpsed from distance across the top of the adjacent building to the east. It is likely that this corner will be redeveloped in the future and this view will then be obscured but this is by no means certain so the proposal has been amended to improve the detailing of this flank to better fit with the character of the existing building.

On balance, given the condition of the building and the fact that it is not listed or of listable quality, a scheme of façade retention with the improvements proposed to the frontage would seem a reasonable outcome for the building and for the conservation area. It seems that a scheme for the retention of the whole building would in itself require significant rebuilding and is very unlikely to be viable in this case, and if this was sought there would be a high risk for further deterioration of the building which is already at risk. It is therefore recommended that, in this instance, the principle of façade retention and extension be accepted subject to the conditioning and approval of various key details to ensure the historic integrity of the frontage.

To the rear a new 4 storey flatted block is proposed to provide the enabling development for the scheme. This is a simple modern design with interest and articulation provided through the angled footprint and angled roof and in its cladding with high quality metal shingles (similar to that used at Waterloo Villas 20-26 Leigh Hill). The main fenestration is proposed to the front including set in balconies adding shadowing and depth to the elevation. In principle, given the set back from the frontage it is considered that a modest building of 4 storeys would not appear out of place in this context against the back drop of the significant massing of the Kursaal extension, indeed given the poor quality of this extension, any screening of this would be welcomed. The visuals show that it would have a low impact on the skyline and that the Britannia frontage will remain the principle elevation to the street. The scale of the proposal is therefore accepted in this location.

Although the change in character between the two buildings is clear it is considered that a contrasting modern solution is the most appropriate option as a traditionally designed building of this scale would most likely appear unconvincing and bulky in this context. The simplicity of form and the quality of detailing and materials should ensure that this proposal is high quality and understated in the streetscene such that it will not compete with the finer detail of the historic frontage of the Britannia, the Kursaal and wider conservation area.

In terms of layout, it is noted that the residential units are to be accessed via a gate to the side of the historic building and via a staircase to the deck or via the parking area. This seems reasonable in this context as the gate is existing and part of the historic setting of the building and there is no opportunity for a residential entrance in the main frontage. Good landscaping of the deck should ensure a pleasant environment and a useable amenity area for the units. The rear block also has an access via the core on the northwest corner. This will need to be accessed via the car park or rear access route but given the constraints of the site this is considered acceptable. It is pleasing to see that the lobby will benefit from natural light as this will make it appear more welcoming. It is noted that a bin store is proposed on the north frontage across the front of this full length window. This would seem to be a conflict and should be re-sited within the undercroft or at least enclosed within a well detailed store to the side of the window.

The flats themselves are not generous but seem useable in their layout. It is pleasing to see that the ducting for the restaurant will be directed away from the front building and contained within a void on the roof of the rear block. It is understood that this void, which also contains the lift overrun, is to be covered by a perforated roof so will be hidden from view. This should ensure a neat profile for this building which is appropriate for the design approach proposed. It is noted that pvs are proposed to the roof to provide the required renewables and this location is also preferable to any roof installations to the front building.

Overall it is considered that this scheme is a significant improvement over the previously withdrawn proposal both in terms of the impact on the historic building and conservation area and its overall design and detailing.

The proposal is therefor considered acceptable subject to conditions relating to its detailing and materials as outlined below.

Traffic and Transportation

- 6.2 The existing use does not have any off street parking provision. However a number public car parks and on street pay and display parking are available within the local area.

The proposal provides 9 dwellings with 100% off street parking provision, 18 cycle spaces and refuse collection point for residential and commercial waste. Access to the parking area is via a private access way. The internal parking layout enables vehicles to enter and manoeuvre effectively within the site. the refuse storage is located outside of the current policy guidance for waste collection so alternative arrangement will have to be made on the day of collection.

Consideration has been given to the sustainable location of the site which has local public transport links in close proximity, national cycle route 16 running parallel to the site and a number of public car parks within close proximity.

Given the above information it is considered that the proposal will not have a detrimental impact on the public highway. Therefore no highway objections are raised.

Environmental Health

- 6.3 The application is for a prominent seafront building to be converted into an A3 use – restaurant with a number of residential units sited above. Further residential properties are to be erected to the rear of the existing building.

In relation to the demolition no asbestos survey appears to have been submitted [**Officer Comment: This can be dealt with by condition**]

A full asbestos survey shall be carried out by a suitably qualified person on the building(s) to be demolished. Any asbestos containing material(s) (ACM) must be removed and disposed off site to a facility licenced by the Environment Agency. A waste transfer certificate must be submitted to the local planning authority prior to development commencing.

The proposal site is in close proximity to a number of late night commercial/entertainment venues. The proposed residential premises may be subject to noise and disturbance from the existing and proposed commercial/entertainment sources.

In order to assess this proposal fully a suitably qualified and competent person who would normally be a member of the Institute of Acoustics shall evaluate all the potential noise impacts to the future occupiers of the development. This report shall include any necessary mitigation measures required to meet relevant internal noise criteria in accordance with BS8233:2014 **[Officer Comment: A noise assessment has been submitted for consideration concluding subject to appropriate conditions and mitigation measures no objection is raised].**

Bedrooms in particular within the scheme should be provided with an adequate standard of façade sound insulation to protect amenity at night and in the early hours of the morning.

The noise assessment should also assess the proposed amenity areas of the development in line with the WHO guidelines for outdoor areas.

Also limited information has been provided regarding the proposed ventilation/extraction plant for the development. It is unclear from the plans if the extract is located internally or externally. This needs to be clarified.

The proposed ventilation and extraction plant will also need to be assessed in accordance with BS4142:2014 for day and night periods and compared with the background levels obtained when assessing the existing environment. Appropriate mitigation should then be recommended as necessary **[Officer Comment: This can be dealt with by condition].**

Any mechanical extraction, ventilation or air conditioning plant would need to be carefully located and designed in order to prevent statutory noise and odour nuisance. **[Officer Comment: This can be dealt with by condition]**

Environment Agency

6.4 Tidal Flood Risk

Our maps show the site lies in Flood Zone 3a, the high probability zone. The Flood Risk Assessment (FRA) states that the site is located within Flood Zone 3b. This is incorrect as the site benefits from defences set above the 5% Annual Exceedence Probability (AEP) flood level. The 5% flood extent would therefore not impact the site so it is considered to be Flood Zone 3a.

The proposal is to part demolish the rear of existing public house and all outbuildings to erect three self-contained flats with a restaurant on the ground floor. A new four story block will also be constructed comprising six self-contained flats.

The restaurant is considered to be less vulnerable and the residential use is considered to be more vulnerable development in line with Table 2: Flood Risk Vulnerability Classification of the Planning Practice Guidance: Flood Risk and Coastal Change.

Therefore, to comply with national policy, the application is required to pass the Sequential and Exception Tests and to be supported by a site specific FRA which meets the requirements set out in the National Planning Policy Framework (NPPF).

Sequential and Exception Tests

The requirement to apply the Sequential Test is set out in Paragraph 101 of the National Planning Policy Framework (NPPF). The Exception Test is set out in Paragraph 102.

These tests are your responsibility and should be completed before the application is determined. Additional guidance is also provided on Defra's website and in the Planning

Flood Risk Assessment

A FRA prepared by SLR Consulting Limited, referenced 405.06372.00001, version no: Issue 1, dated May 2016 has been submitted in support of this application. We have reviewed this FRA and consider it provides you with sufficient information to assess the acceptability of flood risk at this site. Further information is provided as a technical appendix to this letter.

We had no objection to a similar application referenced 16/01274/FUL in August 2016 at this site and it is understood that this application will involve the creation of a new block of six flats which was not previously considered. The same FRA prepared by SLR Consulting Limited, referenced 405.06372.00001, version no: Issue 1, dated May 2016 has been submitted in support of this application. This FRA has not been amended to reflect the new block of flats but our position remains the same as all new habitable space will be on the first floor or above. We therefore have no objections on flood risk grounds. It should be noted that this is an intensification of development and there will be a greater number of people on site to consider in a flood event **[Officer Comment: The Environment Agency have confirmed there is no requirement for an updated Flood Risk Assessment].**

Historic England

- 6.5 From the photos, plan provided the building has been substantially altered both externally and internally, but mostly the later. Internal photos show that most of the wall plaster has been removed, leaving exposed brickwork, fireplaces are blocked and no fireplace surrounds or internal detail survives. A very few original timbers and beams appear in place, but the studwork appears modern. Due to the extent of alteration, the Britannia Public House can't be considered to be of national importance and it would not meet criteria for listing. However, enough external detail survives for it to be clearly identifiable with the building shown in the 1880s photo and based on the information provided it appears to be of considerable local historical importance.

Public Notification

- 6.6 A site notice has been displayed on the 19th January 2017 and neighbours notified of the proposal. 7 letters of representation have been received with 2 resident objections and 5 association and society objecting as follows:

Two residents objected stating:

- Car parking access is to the rear and this is unregistered land and already congested;
- The building should be retained and restored in full including the roof form

- 6.7 *Milton Conservation Society*

- Building should not be demolished – significant historical asset
- Historic fabric, interior features and historical meaning would be lost by just retaining the façade
- Building is important for the historical and economic sustainability of the Kursaal conservation area
- Heritage statement submitted does not satisfy the statutory requirements of NPPF
- the proposal does not meet the historic environment policies of the LDF including, those contained in the SCAAP
- residential block design, whilst acceptable in principle is poorly designed, not respecting nor referencing the cons area context and not uplifting to the neighbouring residential roads
- the proposal includes a completely new and enlarged building behind

the façade and the claim to retain an historical asset is misleading

Following the re-notification of amendments the planning application further comments were received from the Milton Conservation Area

- The additional photographs provided show clear lath marks, that there are extensive original timbers in the walls, floors, ceiling and roof structure. The back wall, where boarded over, is evidently original. Even if the boarding may have been replaced early in the 20th century the wall is original. The timbers should be perfectly suitable for retention with appropriate surveying, treatment and strengthening as required. The walls can be retained and the applicant agrees the front and much of the side walls can be retained therefore the Britannia can be saved;
- The rear needs clearance and some reconstruction but the historic rooms of the main range, in which much of the buildings historical significance rests, can be saved. This historic importance is acknowledged by local historians, and society.
- Consent must not be given to demolish the building and all efforts should be to save the building
- As for clarification to show the extract duct, dormers, these only serve to highlight the design problems. The large duct will sit below the undercroft roof and integer with the quality of space to access the flats and the amenity space, the dormers do not work in terms of siting
- The rear proposal remains incongruous, with no contextual relationship to the conservation area nor surrounding dwellings and reminds use of the Essex University student housing in London Road with no sense of context.
- Southend has made too many mistakes and lost too many fine buildings in the past, buildings that make up heritage of the town to buildings of no urban quality.
- Heritage should remain and build better modern buildings to fulfil the SCAAP aim to transform the perception and image of Southend

[Officer Comment: The agent has provided a response to the comments from Milton Society stating:

There are some original timbers; they are by no means extensive original timber framework. There are two walls that have some semblance of originality but can't be authenticated, or dated as original.

In relation keeping the Britannia as a Public House – events have clearly

prevailed and the market for a Public House in that location has been borne out by the evidence of the Brewery selling their asset. Another public house along the Central Seafront is not delivering the aims of the SCAAP and is not helping to transform the Central Seafront into a family friendly, safe, high quality location for furthering tourism.

The Britannia has been surveyed by a specialist heritage engineer with full access to the site.

In retaining the façade and side flank the Britannia is being saved as per this application.

In relation to the suggested carbuncle to the rear of the site- the proposals mask the over scaled and inconsiderate addition to the rear of the Kursaal.

The proposal to the rear creates a clean, crisp simple contemporary form with a modern material which is complementary to the historic fabric of the Britannia and the Kursaal Conservation Area.

In relation to ducting and dormers, the Conservation Society do not want the building to be altered in any shape or form, which would see the building fall into further disrepair and eventually collapse.

By introducing a new sustainable use with appropriate servicing and improving the accommodation utilising the roof form ensures that the Britannia will remain in perpetuity.

We are aware that an approach has been made to Historic England with a view to Nationally Listing the Britannia. Historic England have chosen not to list the Britannia due to the extensive changes i.e. removal of extensive historic fabric and alterations.

The salvageable and working elements of the Britannia are indeed being saved to preserve Southend's Seafront Heritage".]

6.8 *Belfairs Residents Association*

- historic part of Southend seafront and building should be saved in its entirety and do not want to lose any more heritage buildings

6.9 *The South Essex Building Preservation Trust Ltd*

- Although the building is not grade 2 listed it is locally listed and a significant building of this town (1807)
- representatives of the trust have been inside and the interior has been

completely stripped out before the applicant bought the building

- An engineer states the front elevation appears to be fairly modern, the trust disagrees with this statement, it is original. Of course there have been some alterations and repairs would urge the planners to insist on the following and comments are fundamental to the approval of the application. Should the below items not lead to the amendments to the scheme then the trust believes that the current application must be refused
- show the extent of the retention of the building. The drawings show chimney stacks which suggest that the side walls will be kept
- The windows at first floor will be returned to the original wooden double hung sashes as the early photos show **[Officer Comment: Amended drawings have been received and the exact details of the windows will be dealt with by condition]**
- The existing sand and cement render removed and rendered with Hydraulic lime render
- There should not be an attic storey. The applicant has the opportunity of creating a new building at the rear so only the first floor should be used for apartments above the proposed restaurant
- The pediment sitting on the front wall should be reinstated **[Officer Comment: Amended drawings have been received and the specific details will be dealt with by condition]**
- The east side timber framing should be retained **[Officer Comment: This is proposed to be demolished and the applicant has demonstrated it is not structurally sound. It should also be noted this element is not listed]**
- Not enough cogent thought has gone into the retention of this building and report does not give evidence that condemns the structure

6.10 *Essex County Preservation Trust Ltd*

- To leave just the façade and part of the shell is not acceptable in this day and age with so much of our heritage lost
- In the trusts long experience, Developers always cited that a building is beyond repair as was stated in their first application clearly this must have been untrue as they can now incorporate part of the building into their new build and should be seen as pure financial gain.

- The building in question easily lends itself to be fully retained
- The increase in volume should be rejected on grounds that anybody buying these historic buildings are fully aware of cost implications and have a duty of care to retain them
- Any new build should respect and enhance the historic structure and in our experience this is quite often an asset.
- Application should be refused and request that the applicants re-submit an application retaining the entire Britannia pub house within any new build

6.11 *Save Britain's Heritage*

- Will cause considerable harm to a locally listed building and Kursaal cons area and request application to be refused
- The proposed new building to the rear is considered not in keeping with the cons area and will be visible behind the retained façade of Britannia and from eastern esplanade and beach road
- although accepting the building has been altered over time and much of the original material lost in the process it is noted within the engineers report that it makes many references to surviving historic elements including timber studding, brickwork, stud walling and remnants of dormer windows. The loss of these elements as proposed would be harmful to the locally listed building and cons area
- Para 128 of the NPPF – applicants heritage statement fails to fully assess the impact and its conclusion the proposal will enhance and protect the building is clearly false as the proposal is for significant demolition
- Para 132 of NPPF – great weight should be given to the asset's conservation and that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting
- Refers to para 132 138 and 138 of NPPF, policy c2, c4 and that they do not consider this proposal meets these requirements and should be refused results in harm caused to a locally listed building within a very tightly bounded cons area and in clear breach of local planning policies and believes that application is not suitable and therefore should be refused

- 6.12 Councillor Walker has requested this application be dealt with by development control committee.

7 Relevant Planning History

- 7.1 Demolish existing public house and outbuildings and erect a four storey building comprising of ground floor restaurant (Class A3) with 5 flats to upper floors, erect two storey building to rear comprising of two self-contained flats, layout cycle store, bin stores and parking to rear- Withdrawn (16/01274/FUL)
- 7.2 Demolish existing public house and outbuildings and erect new 4 storey building comprising A3 restaurant to ground floor, inclusive of residential 2 - 3 storey block to rear to create 7no self-contained flats- (15/01970/PREAPF)

8 Recommendation

- 8.1 Members are recommended to GRANT PLANNING PERMISSION subject to the following reason:**

- 01 The development hereby permitted shall be begun not later than 3 years beginning with the date of this permission.**

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

- 02 The development shall be carried out in accordance with the approved plans: 303/P01 Revision C; 303P07 Revision A; 303P03 Revision B; 303P02 Revision B; 303P08 Revision A; 303P05 Revision B; 303P04 Revision A; 303P06 Revision C.**

Reason: Reason: To ensure the development is carried out in accordance with the development plan.

- 03 The development hereby permitted shall operate at all time in accordance with the 'Flood Risk Assessment' dated May 2016 reference 405.06372.00001 carried out by SLR Global Environmental Solutions.**

Reason: To ensure that the Flood Warning and Evacuation Plan meets with the requirements of the Environment Agency's Flood Warning Service, and is safe in the event of a flood in accordance with Policy KP2 of the Core Strategy DPD2

- 04 Finished first floor levels are to be set no lower than 6.30 metres above Ordnance Datum (AOD).**

Reason: To ensure ground floor levels are provided above the flood level with the NPPF and policy KP2 of Core Strategy.

- 05** No development shall take place until samples of the materials to be used on all the external elevations, including front building-lime render mix, plinth, brick, slate, windows, doors, cills, parapet, roof, guttering, external staircases, signage and design details including sash windows, door, fanlight, dormers, parapet, signage, roof to bays. Rear building-materials, and product detailing for cladding, balconies, roof, windows, doors, coping, balustrade, guttering, edge detailing of roof and undercroft area, and on any screen/boundary walls and fences, and on any external access way, driveway, forecourt or parking area and steps have been submitted to and approved by the local planning authority. 0The development shall only be carried out in accordance with the approved details.

Reason: To safeguard character and appearance of surrounding area in accordance with Policies DM1, DM5 and DM6 of the Development Management DPD and KP2 and CP4 of the Core Strategy.

- 06** No development shall take place until a detailed design and method statement relating to the front façade retention has been submitted to and approved in writing by the local planning authority. The works must then be carried out in accordance with the approved design and method statement unless otherwise agreed in writing by the local planning authority.

Reason: To safeguard character and appearance of surrounding area in accordance with Policies DM1, DM5 and DM6 of the Development Management DPD and KP2 and CP4 of the Core Strategy.

- 07** Final glazing, acoustic insulation and ventilation details for the scheme are to be submitted to, and approved by, the Local Planning Authority prior to installation. Glazing and ventilation should be selected with relevant acoustic properties as outlined in the Noise Impact Assessment dated 3rd-8th February 2017. Appropriate mitigation must be given to ensure that cumulative noise levels in accordance with BS4142:2014 meet relevant internal noise criteria in accordance with BS8233:2014, along with tonal and impulsive penalties where necessary and remain in perpetuity.

Reason: To protect the amenities of the residential occupiers from undue noise and disturbance in order to protect their amenities in accordance with DPD1 (Core Strategy) policies KP2 and CP4, Policies DM1, DM3 and DM8 of the DM DPD and SPD1 (Design and Townscape Guide).

- 08** Before the A3 use hereby permitted is occupied, details of any equipment to be installed to control the emission of fumes and smell

from the premises shall be submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be implemented before the unit is brought into use. All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the manufacturer's instructions.

Reason: In order to protect the amenities of occupiers of the development surrounding occupiers and to protect the character and visual amenities of the area in accordance with policies KP2 and CP4 of the Core Strategy DPD1 and Policies DM1 and DM3 of the Development Management DPD 2015.

- 09 With reference to BS4142, the noise rating level arising from all plant and extraction/ventilation equipment installed at the site shall be at least 5dB(A) below the prevailing background at 3.5 metres from ground floor façades of the nearest noise sensitive property and 1 metre from all other façades of the nearest noise sensitive property with no tonal or impulsive character.

Reason: In order to protect the amenities of occupiers of the development surrounding occupiers and to protect the character and visual amenities of the area in accordance with policies Policies KP2 and CP4 of the Core Strategy DPD1 and Policies DM1 and DM3 of the Development Management DPD 2015.

- 10 The Use Class A3 use hereby permitted shall not be open to customers outside the following times: 07:00 to 00:00 hours.

Reason: In order to protect the amenities of occupiers of the development surrounding occupiers and to protect the character and amenities of the area in accordance with policies Policies KP2 and CP4 of the Core Strategy DPD1 and Policies DM1 and DM3 of the Development Management DPD 2015.

- 11 The development shall not be occupied until a waste management plan and service plan has been submitted to and agreed in writing by the Local Planning Authority. The waste management and servicing of the development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that the development is satisfactorily serviced and that satisfactory waste management is undertaken in the interests of highway safety and visual amenity and to protect the character of the surrounding area, in accordance with Policies KP2 and CP3 of the Core Strategy DPD1 and Policy DM15 of the Development Management DPD

2015.

- 12 The development shall not be occupied until 9 car parking and 18 cycle parking spaces have been provided, all in accordance with the approved plans. The parking and cycle spaces shall be permanently retained thereafter for the parking of occupiers of residential flats.

Reason: To ensure that adequate car parking and cycle provision is provided and retained to serve the development in accordance with Policy DM15 of the Council's Development Management DPD and policy CP3 of the Core Strategy DPD1.

- 13 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide, amongst other things, for:

- i) the parking of vehicles of site operatives and visitors
- ii) loading and unloading of plant and materials
- iii) storage of plant and materials used in constructing the development
- iv) the erection and maintenance of security hoarding
- v) measures to control the emission of dust and dirt during construction

- vi) a scheme for recycling/disposing of waste resulting from demolition and construction works that does not allow for the burning of waste on site.

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policy CP4 of the Core Strategy DPD1 with CP4 of the Core Strategy DPD1 and Policy DM1 of the Development Management DPD 2015.

- 14 Details of any external lighting to be installed in the development shall be submitted to and approved in writing by the local planning authority before the development is occupied or brought into use. Development shall be carried out in accordance with the approved details before the development is occupied or brought into use. No additional external lighting shall be installed on the building without the consent of the Local Planning Authority.

Reason: To protect the amenities of the residential occupiers from undue noise and disturbance in order to protect their amenities in accordance with DPD1 (Core Strategy) policies KP2 and CP4, Policies

DM1, DM3 and DM8 of the DM DPD and SPD1 (Design and Townscape Guide).

- 15 Construction hours restricted to 8am – 6pm Monday to Friday, 8am – 1pm Saturday and not at all on Sundays or Bank Holidays.

Reason: To protect the amenities of the residential occupiers from undue noise and disturbance in order to protect their amenities in accordance with DPD1 (Core Strategy) policies KP2 and CP4, Policies DM1, DM3 and DM8 of the DM DPD and SPD1 (Design and Townscape Guide).

- 16 Prior to the commencement of the development hereby approved, details of the siting and appearance of the cycle and refuse store shall be submitted to and agreed in writing by the Local Planning Authority. The proposed development shall then be carried out in accordance with the approved details and the refuse and cycle store shall be provided prior to the occupation of any flats at the site and the commercial premises.

Reason: In order to protect the character and visual amenities of the area and the environment for residents in accordance with policy DM1 of the Council's Development Management DPD and Policies KP2 and CP4 of the Core Strategy DPD1.

- 17 A full asbestos survey of the building(s) to be demolished shall be carried out by a suitably qualified person prior to demolition. Any asbestos containing material(s) (ACM) must be removed and disposed off-site to a facility licenced by the Environment Agency. A waste transfer certificate must be submitted to the local planning authority prior to development commencing.

Reason: In order to protect the amenities of surrounding occupiers in accordance with policies KP2 and CP4 of the Core Strategy DPD1 and Policies DM1 and DM3 of the Development Management DPD 2015.

- 18 No meter boxes shall be installed on the front of the building or side elevations of that face a highway and the meter boxes installed thereafter in accordance with the approved details.

Reason: In the interests of visual amenity in accordance with Policies DM1 and MD3 of the Development Management DPD 2015 and the Design and Townscape Guide 2009.

- 19 No development shall take place until details of the implementation, adoption, maintenance and management of the sustainable drainage system have been submitted to and approved in writing by the local

planning authority. The system shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include a timetable for its implementation, and a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the effective operation of the sustainable drainage system throughout its lifetime.

To ensure surface water is adequately managed in the interests of flood prevention and pollution control, in accordance with DPD1 (Core Strategy) 2007 policy KP2.

- 20 Prior to occupation of the development hereby approved details of the water efficient design measures set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption), including measures of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting.

Reason: To minimise the environmental impact of the development through efficient use of water in accordance with the National Planning Policy Framework, DPD1 (Core Strategy) policy KP2, DPD2 (Development Management Document) policy DM2 and SPD1 (Design and Townscape Guide).

- 21 The development hereby approved shall be carried out in a manner to ensure the houses comply with building regulation M4 (2) 'accessible and adaptable dwellings'.

Reason: To ensure the residential units hereby approved provides high quality and flexible internal layouts to meet the changing needs of residents in accordance with National Planning Policy Framework, DPD1 (Core Strategy) policy KP2, DPD2 (Development Management Document) policy DM2 and SPD1 (Design and Townscape Guide).

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, 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

- 1 Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). Enclosed with this decision notice is a Community Infrastructure Levy (CIL) Liability Notice for the attention of the applicant and any person who has an interest in the land. This contains details including the chargeable amount, when this is payable and when and how exemption or relief on the charge can be sought. You are advised that a CIL Commencement Notice (CIL Form 6) must be received by the Council at least one day before commencement of development. Receipt of this notice will be acknowledged by the Council. Please ensure that you have received both a CIL Liability notice and acknowledgement of your CIL Commencement Notice before development is commenced. Most claims for CIL relief or exemption must be sought from and approved by the Council prior to commencement of the development.**

Charges and surcharges may apply, and exemption or relief could be withdrawn if you fail to meet statutory requirements relating to CIL. Further details on CIL matters can be found on the Council's website at www.southend.gov.uk/cil.

- 2 Compliance with this decision notice does not bestow compliance with other regulatory frameworks. In particular your attention is drawn to the statutory nuisance provisions within the Environmental Protection Act 1990 (as amended) and also to the relevant sections of the Control of Pollution Act 1974. Contact 01702 215005 for more information.**
- 3 The applicant is reminded that this permission does not bestow compliance with the Food Safety and Hygiene (England) Regulations 2013 or any other provision so enacted, such as those located within the Food Safety Act 1990. Applicants should contact the Council's Environmental Health Officer for more advice on 01702 215005 or at Regulatory Services Department, Southend-on-Sea Borough Council, Civic Centre, Victoria Avenue, Southend SS2 6ZG.**
- 4 For further guidance on the control of odour and noise from ventilation systems you are advised to have regard to – Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems published by DEFRA. This can be downloaded free from www.DEFRA.Gov.UK**