
THE LEAS PAVILION FOLKESTONE, KENT

Planning and Listed Building Consent Statement

Prepared by Barton Willmore
On Behalf of Gustavia Ltd.

April 2020

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**PREPARED BY BARTON WILLMORE
ON BEHALF OF GUSTAVIA LTD.**

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1.0 INTRODUCTION

1.1 This Planning Statement has been prepared by Barton Willmore on behalf of Gustavia Ltd to support a Full planning application submitted in respect of the Leas Pavilion, Folkestone (hereafter referred to as the 'Site'). An associated application for Listed Building Consent is also submitted under a separate cover. The Site is located within the administrative area of Folkestone and Hythe District Council (FHDC) as shown in Appendix 1.

1.2 The proposed Description of Development for the planning application is as follows:

"Restoration of the Leas Pavilion, including external and internal alterations in connection with the use of the building for ancillary residential use (Class C3), and flexible use for public events (Class D2), together with the construction of a nine storey residential apartment block (5 full storeys, with setbacks to the upper storeys) and associated cycle and refuse storage, and landscaping, with two parking areas provided at half-basement level, accessed from Longford Terrace and Longford Way (the proposed development will provide 91 residential units and 39 car parking spaces) (the 'Proposed Development')."

1.3 This application comprises the application form, location plan, layout, engineering, landscaping details, elevations and street scenes.

1.4 In addition to these drawings and the Planning and Listed Building Consent Statement, this application is supported by the technical reports listed below:

- Design & Access Statement (Hollaway);
- Townscape and Visual Assessment (Lloyd Bore);
- Transport Statement (Stantec);
- Heritage Statement (Heritage Collective);
- Financial Viability Assessment Executive Summary (Strutt & Parker);
- Phase 1 Desk Study (Contamination) (Lustre);
- Preliminary Ecological Assessment and Bat Report (GES);
- Daylight and Sunlight Assessment (Herrington)
- Sustainability Report (Quinn Ross)
- Structural Inspection and Appraisal (Ramboll)
- Outline Terracotta Repair Methodology Statement (PAYE Stone); and
- Desk Based Assessment (Archaeology) (Canterbury Archaeology Trust).

- 1.5 The proposed Description of Development for the Listed building Consent application is as follows:

“Listed building consent for the restoration of the Leas Pavilion, including external and internal alterations in connection with use of the building for ancillary residential use (Class C3), and flexible use for public events (Class D2), and construction of a residential apartment block.”

- 1.6 The application for Listed Building Consent is supported by the technical reports listed below:

- Design & Access Statement (Hollaway);
- Heritage Statement (Heritage Collective);
- Structural Inspection and Appraisal (Ramboll);
- Outline Terracotta Repair Methodology Statement (PAYE Stone); and
- Desk Based Assessment (Archaeology) (Canterbury Archaeology Trust).

- 1.7 Pre-application discussions with Officers and Members at FHDC have been held to inform the Proposed Development. The scheme has subsequently been amended wherever possible to reflect the feedback received. Gustavia Ltd have also undertaken a number of pre-application meetings with interested parties such as the Friends of Leas Pavilion and statutory consultees, including Historic England.

i) Pre-Application Consultation

FHDC Pre-Application Advice

- 1.8 The National Planning Policy Framework encourages early engagement with decision makers to improve the efficiency and effectiveness of the planning application system (para. 39) and suggests that engagement with local communities should be carried out before the submission of planning applications (para 41). The Proposed Development has been shaped by the consultation with both decision makers and the local community.
- 1.9 This application has been informed by pre-application engagement with Folkestone and Hythe District Council (FHDC). Pre-application meetings have been undertaken with the Council on the following dates:
- 15 January 2020;
 - 29 January 2020; and
 - 09 April 2020.

- 1.10 These meetings also included Historic England, and a Members Briefing on 11 February 2020. Following the most recent pre-application engagement with the FHDC, Officers confirmed that they were broadly in support of the principle of the application, particularly the restoration of and 'saving' of the Leas Pavilion, subject to the consideration of other detailed matters.

ii) Public Consultation

- 1.11 On 10 March 2020, a public exhibition was held in the Channel Suite of the Leas Cliff Hall. Representatives from the Client team, architects, planning consultancy, and Friends of the Leas Pavilion were available to speak to members of the public between 14:00 – 20:00. Councillors and several other interested groups were invited, alongside local residents. The event was also advertised online by the local news.
- 1.12 The exhibition was well attended, with 138 people signing into the event. 37 people were interested in visiting the Leas Pavilion following the exhibition. The local press also attended the event and footage was broadcast on ITV Meridian News.
- 1.13 34 of the 138 attendees left written feedback following the exhibition. Further to this, several others left comments on the dedicated project website. The majority of those who left comments were strongly in support of the plans to restore the Leas Pavilion, especially the reinstated 1902 layout and terracotta façade. In addition, most responses were in favour of the combined use of the Leas Pavilion for community and residential uses. People understood that the Proposed Development is the last opportunity to 'save' and restore the Leas Pavilion to its former glory especially after the site was left undeveloped for 10 years, resulting in its current derelict condition. People strongly supported the arrival of a new developer as a 'breath of fresh air.', and they strongly supported the enabling residential development that supported the restoration of the Leas Pavilion.
- 1.14 Positive feedback was received in terms of the architecture of the proposed apartments. However, some local residents were concerned about potential disruption resulting from the construction process. Others raised concerns in relation to the potential impact of additional traffic on the surrounding roads.
- 1.15 The majority of responders were supportive of the modern and distinctive design, while there were queries about the modern design in the context of the surrounding area. Responders welcomed the opportunity for public/community access to the Leas Pavilion and suggested it should be secured for the long-term future.

- 1.16 Further information on the pre-application discussions with FHDC and Historic England, and the public consultation, including the information boards displayed at the public consultation, is provided in the Design and Access Statement prepared by Hollaway Architects.
- 1.17 This Planning and Listed Building Consent Statement assesses the Proposed Development against adopted and emerging local and national planning policy. It demonstrates that the Proposed development would secure the delivery of a high quality and sustainable residential development on a brownfield site identified as suitable for redevelopment.

iii) Structure of this Planning Statement

- 1.18 The remainder of this Planning Statement is comprised of the following Sections:
- Section 2 describes the Site and the surrounding area;
 - Section 3 identifies the Planning Policy Framework, including the relevant national, regional and local planning policy and guidance;
 - Section 4 describes the Proposed Development;
 - Section 5 provides a Planning Assessment of the Proposed Development against key planning policy and material considerations; and
 - Section 6 draws together the Summary and Conclusions of the Planning and Listed Building Consent Statement.
- 1.19 It is the conclusion of this Planning and Listed Building Consent Statement that the Proposed Development is in accordance with National, Regional and Local Planning Policy and Guidance and represents a sustainable form of development that should be supported by Folkestone and Hythe District Council and approved without delay in accordance with Paragraph 11 of the National Planning Policy Framework.

2.0 THE SITE

- 2.1 This Section of the Planning Statement describes the Site in greater detail, including its relevant planning history, and the wider context of the surrounding area.

i) Site Description

- 2.2 The Site is located on the north side of The Leas, approximately 0.7km to the west of Folkestone Town Centre. To the west and east, respectively, the Site is bounded by Cheriton Place and Longford Terrace. Two to five storey buildings are situated to the north. To the south is The Leas open space, with a steep embankment down to Lower Sandgate Road and the seafront.
- 2.3 The Site covers approximately 0.25 hectares and comprises two car parks to the east and west on Longford Terrace and Cheriton Place. These car parks currently provide a total of 57 parking spaces.
- 2.4 The Site is also home to the Grade II listed Leas Pavilion. The Leas Pavilion was designated as Grade II (Listing Entry Number: 1392353) in December 2007 as a rare example of a purpose-built Edwardian tearoom, which first opened in 1902. According to Historic England, the entrance front is of special architectural merit for its high-quality terracotta work, ironwork grilles, attached veranda and Art Nouveau style stained glass. The Leas Pavilion is therefore recognised as an important seaside building, comparing in interest with the later Leas Cliff Hall and Pulhamite Caves, both of which are also Grade II listed.
- 2.5 The plan form of the building remains intact. The galleried interior features an imperial staircase which also remains substantially intact, despite minor alterations undertaken to convert the building into a theatre in 1928. The use of the Site as a theatre formed an important element of early 20th century recreational activity in Folkestone and made a strong positive contribution to the local area. The building is currently in a significant state of disrepair and urgently requires remedial works and sustained long-term restoration.
- 2.6 In 1986, the building reopened as the Leas Club and continued to function until closing in 2007. Since its closure, the building has remained empty without a viable use. As a result, the Leas Pavilion has fallen into a state of disrepair.

ii) Heritage

2.7 The full listing description is provided below:

II Purpose-built tea rooms, later theatre, cafe and pub. Opened in 1902, Architect Reginald Pope for Mr Frederick Ralph. Modified in 1928 and with minor later alterations. Principal front of terracotta, the other elevations of red brick.

PLAN: One storey and basement with seven bay front, roughly rectangular with projecting end wings to the south and attached walls enclosing a forecourt. The interior comprises small tearooms to the south with billiard room underneath and large two-storey high main tearoom to the north.

EXTERIOR: Because of lease restrictions only one floor is visible behind a sunken forecourt. The frontage is by far the most architectural and the elevation of the most special interest. The south entrance front is symmetrical with an elaborate dentil cornice throughout and a central enriched pediment with dolphin motifs. Below is an arched doorcase with keystone and pilasters and an elaborate wrought iron overthrow and pair of gates. The door behind has original Art Nouveau style stained glass with floral motif. On each side of the main entrance are two bays with segmental arched windows and central narrow doors, all divided by pilasters. All windows and doors retain Art Nouveau style stained glass with floral motifs to the upper parts. The whole of the front has an attached iron and glazed verandah supported on large scrolled brackets and thin supports. The modern canopy entrance at street level is not of special interest.

The projecting wings have two similar segmental arched windows with two doors and the south facing ends have one segmental arched window. All windows and doors to the projecting wings retain their Art Nouveau style stained glass. Attached to the sides of the building are the terracotta forecourt walls, comprising elaborate balustrading on retaining walls with steps into the forecourt at the centre and sides which are flanked by pairs of panelled piers. These originally held lamps. The east side has nine window openings (one blocked) with terracotta lintels and mid-C20 metal-framed casements. The north side has one blocked opening with a terracotta lintel. The west side is similar but at the time of inspection most of it was concealed behind a fence. From the interior it was clear that all windows on this side had been replaced in the 1930s or 1950s with metal framed casements.

INTERIOR: The central entrance leads into a vestibule with dentil cornice and, on either side, a doorcase with eared architrave with ovolo and bead and reel motifs and swag frieze to the overmantel. On each side this leads into small tearooms. The central doorcase opens into the main tearoom

which rises the full height of the building (ground floor and basement). The centre has a coved ceiling with patterns of diamonds and octagons, flanked by large coffered sections. The space is entered by an imperial staircase with turned balusters on the south side under a central segmental arch. The adjoining round-headed arches have a section of curved balcony beneath. The east and west sides have a gallery supported on Tuscan columns with Tuscan columns to the arches above the gallery. The upper level originally had six round-headed arches to each side but two were removed on each side and incorporated into larger arches to provide better sightlines for the building's later use as a theatre. The north side originally had a continuation of the gallery with one large central cambered arch flanked by smaller round-headed arches on each floor with balustrading to the gallery, which was originally used by a small orchestra and vocalist. In 1928 the north gallery was replaced by a proscenium arch. This has a central rosette decoration and six triangular motifs. The lower level south side has a separate room, formerly a billiard room. This has a later suspended ceiling, but above this some original plasterwork is likely to survive. This room has later panelling.

HISTORY: The Leas Club was opened in 1902 as a teahouse called The Leas Pavilion. It was designed by a local architect, Mr Reginald Pope for a Mr Frederick Ralph.

The site lay between two hotels on the east side of The Leas which had long leases from the Radnor Estate with an "ancient lights" clause so that no building could be constructed which would prevent light reaching their windows. As a result the building was constructed with only one storey visible above the ground, with a flat roof but a full-height basement.

The contractor for the work was Castle and Co and the overall cost was £10,000. The building was opened by Lord Radnor on 1st July 1902.

The teahouse was fully licensed and had high prices. A covenant in the lease required that the lessees would "use the room for the highest class tea and refreshment trade with the view to securing the best class of visitors only". At the far end of the gallery was seated a ladies orchestra, often joined by a vocalist. In 1906 a concert party was introduced on a makeshift stage below the gallery. During the First World War farewell concerts were held for the troops before they embarked onto the ships to France. The concert parties continued after the war until in 1928 a proper stage was built at the far end of the hall with plays and tea matinees. This flourished as a repertory theatre called the Leas Pavilion Theatre for 57 years until September 1985. It reopened as the Leas Club in March 1986 and has subsequently been run as a cafe and pub and venue for live music

SOURCES: Taylor , Alan F, "Folkestone Past and Present",

Derby, 2002. Brodie, Allan and Winter, Gary, "England's Seaside Resorts", English Heritage, 2007.

REASONS FOR DESIGNATION: The Leas Club is designated at Grade II for the following principal reasons:

*** As a rare example of a purpose-built Edwardian high class tearoom and its poignant evocation of troops departing for France in World War I and early-C20 popular entertainment;
* The entrance front is of special architectural merit for its high quality moulded terracotta work, ironwork grilles and attached verandah and for its Art Nouveau style stained glass; * The plan form survives intact; * The interior with its imperial staircase, galleried interior and ceiling survives substantially intact apart from a few alterations to convert it into a theatre in 1928; * As an important Edwardian seaside building, comparing in interest with the later Leas Cliff Hall and Pulhamite caves at Folkestone, which are both listed Grade II.**

iii) Planning History

- 2.8 The full planning history of the Site can be found in Appendix 2 of this statement. The most relevant planning history to the Proposed Development is the planning permission (ref: Y08/1212/SH) approved on 29 April 2015, for the following:

"Change of use and conversion of Leas Club from a bar (Class A4) to a gymnasium/health club (Class D2) including alterations and refurbishment of the building together with the erection of a seven storey block of 68 residential apartments (5 full storeys, two recessed), parking, bicycle storage and 2 commercial units (Class A1/A3) to the ground floor and the construction of a basement parking level."

- 2.9 This planning permission is accompanied by Listed Building Consent (ref:Y08/1213/SH), which was granted on 11 September 2009. A full Listed building Consent history can also be found in Appendix 2.
- 2.10 There is an application (ref: Y19/0870/FH) for dismantling associated structural works currently pending approval with FHDC. This application includes the re-construction of both front extensions, as well as the refurbishment of the existing shop front. There is also a related Listed Building Consent application (ref: Y19/0665/FH) under consideration for the removal of the existing canopy to the Leas Pavilion frontage.

iv) The Surrounding Area

- 2.11 The Site is close to Folkestone Town Centre, providing pedestrian access to a high level of local facilities and services. Folkestone Central Station is situated less than 1km from the Site, providing regular services to London and East Kent. The Site is also located approximately 400m from Folkestone bus station, offering access to all services from Folkestone.
- 2.12 The Site is situated within the Folkestone Conservation Area, which was first designated in 1972, with the most recent revisions occurring in November 2005. A wide variety of character areas are incorporated within the Folkestone Conservation Area boundary. The Site is located within the West End of the conservation area, adjacent to The Leas and Folkestone Seafront.
- 2.13 The West End of the Folkestone Conservation Area makes up the historic residential component of the town. This character area is the largest within the Folkestone Conservation Area and comprises a formal street layout. In terms of style, the area is dominated by exuberant stucco architecture, demonstrating classical uniformity. However, there is an element of variation in terms of design, materials and detailing.
- 2.14 The Folkestone Conservation Area offers considerable visual interest, representing the 19th Century expansion of Folkestone and symbolising the gentrification and prosperity of the town.
- 2.15 The Leas Character Area, adjacent to the Site, forms part of the grand recreational promenade. The Folkestone promenade is a popular historic open space which boasts expansive views to sea, over a drop of over 40m to the beach. Key views and vistas within the Folkestone Conservation Area which take in the Site include views from and along The Leas, as well as from the beach.
- 2.16 There are several other listed buildings located in the area surrounding the Leas Pavilion. The Leas Lift is a Grade II* listed building. The Leas Lift is a cliff funicular railway and includes waiting rooms, a pump room, the track and cars, brake houses, boundary railings and lift machinery.
- 2.17 A number of listed buildings are also located on Sandgate Road (No. 88 Sandgate Road and the Former Gas Showroom at Nos. 70 and 72). Other listed buildings along The Leas include Nos. 18 and 19, the Folkestone War Memorial and the Folkestone Memorial Cairn.

3.0 PLANNING POLICY CONTEXT

3.1 This Section of the Planning Statement summarises the Development Plan Documents and material considerations relevant to the Proposed Development. A summary of the relevant planning policy designations is also provided. The Development Plan comprises the NPPF, the Shepway District Local Plan Review (2013 onwards), FHDC Core Strategy (2013 and 2020), and the emerging Places and Policies Local Plan (2018 and 2020).

3.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that where the Development Plan contains relevant policies, applications for development which are in accordance with these policies should be allowed unless material considerations indicate otherwise.

3.3 Throughout this section, the planning proposals for the Site are addressed in the context of the Development Plan for Folkestone and Hythe. The Development Plan for the Site comprises the following:

- National Planning Policy Framework (2019);
- National Planning Practice Guidance (2014);
- Shepway District Core Strategy (2013);
- Shepway District Local Plan Review 'Saved Policies' (2006); and
- The Kent Minerals and Waste Local Plan (2016).

Other material considerations:

- Emerging Places and Policies Local Plan Submission Draft Main Modifications (Jan 2020); and
- Core Strategy Review Submission Draft (Feb 2020).

3.4 FHDC are in the process of preparing a new Local Plan (2006 - 2031). The emerging Places and Policies Local Plan was submitted to the Secretary of State for independent examination on 28 September 2018. During the course of the subsequent public hearings (May 2019) the Inspector recommended some changes to the policies and supporting text. FHDC ran a consultation on the Proposed Main Modifications, which concluded on 2 February 2020. All duly made representations were passed to the Planning Inspector on 2 March 2020.

- 3.5 On receipt of a favourable Inspector's report, FHDC can proceed to adopt the new Places and Policies Local Plan. As the emerging Local Plan is in the later stages of preparation, considerable weight is afforded at the time of these applications.

i) National Planning Policy Framework

- 3.6 The most recent National Planning Policy Framework (NPPF) was published in July 2018, and later revised in February 2019. It sets out the Government's planning policies for England and how these are expected to be applied.
- 3.7 This guidance is a material consideration for the determination of planning applications but does not change the statutory status of the Development Plan, which remains the starting point for decision making (Para 21).

Topic 2: Achieving Sustainable Development

- 3.8 The NPPF places a strong 'presumption in favour of sustainable development' in all planning related matters and places a responsibility on Local Planning Authorities (LPAs) to encourage and support sustainable growth and to plan positively for new development. There are three dimensions to sustainable development. In accordance with Para 8, these include:
- An Economic Role;
 - A Social Role; and
 - An Environmental Role.
- 3.9 Paragraph 11 of the NPPF states that decision makers should apply the presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan, or where there is not one, grant permission unless doing so would conflict with the Framework or the adverse impacts of development would significantly and demonstrably outweigh the benefits.
- 3.10 In order to deliver sustainable development, the NPPF identifies a number of topics against which proposals should be assessed. Those most relevant to the determination of this application are set out below.

Topic 4: Decision Taking

- 3.11 Topic 4 seeks that LPAs approach decisions on developments in a positive and creative way. Pre-application engagement and consultation is positively promoted as a tool for resolving as many issues as possible before applications are made, in order to streamline the planning process.
- 3.12 Para 47 confirms that applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise. Advice is also provided on the application of planning conditions and obligations, which are advised to be kept to a minimum.

Topic 5: Delivery a Sufficient Supply of Homes

- 3.13 In order to achieve the Government's objective to 'significantly boost the supply of homes' (Paras 59 – 79) it is identified as important that a sufficient amount and variety of land should come forward.
- 3.14 Paragraph 68 notes that small and medium sized sites can make an important contribution to meeting housing requirements. LPAs are therefore encouraged to promote a mix of sites. This includes supporting development on sites less than 1ha and the development of windfall sites.

Topic 7: Ensuing the Vitality of Town Centres

- 3.15 Topic 7 sets out that planning policies and decisions should support the success of Town Centres. This includes recognising that residential development can play an important role in ensuring the vitality of Town Centres and encourage residential development on appropriate sites (Para 85).

Topic 8: Promoting Healthy and Safe Communities

- 3.16 This topic promotes policies and developments that support social interaction, safe and accessible environments as well as healthy lifestyles. Measures to achieve this include planning positively for shared spaces/community facilities, guarding against the loss of valued facilities and ensuring an integrated approach to development.

Topic 9: Promoting Sustainable Transport

- 3.17 Topic 9 advises that development should be located and designed to ensure that appropriate opportunities to promote sustainable transport modes can be, or have been, taken up. Access

to the site should be safe and achievable for all users, with any significant impacts from the development on the transport network (in terms of capacity and congestion) or on highway safety, can be cost effectively mitigated to an acceptable degree (Para 108).

Topic 11: Making Effective Use of Land

3.18 Topic 11 was added to the revised NPPF to place significant importance on making the most efficient use of sites.

3.19 Paragraph 118 gives:

“substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land”.

3.20 Achieving appropriate densities which optimise the use of sites is also identified as fundamental to making the most efficient use of sites.

Topic 12: Achieving Well-Designed Places

3.21 Topic 12 states that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. High-quality design is a key aspect of sustainable development, creates better places in which to live and work and helps to integrate development within communities (Para 124).

Topic 14: Meeting the Challenge of Climate Change, Flooding and Coastal Change

3.22 The NPPF sets out that the planning system should support the transition to a low carbon future in a changing climate. Paragraph 155 emphasises that inappropriate development in areas at risk of flooding should be avoided, taking account of advice provided from the Environment Agency and other relevant flood risk management bodies.

Topic 15: Conserving and Enhancing the Natural Environment

3.23 Paragraph 170 of the NPPF provides that when determining planning applications, decisions should contribute to and enhance the natural environment. Developments that result in unmitigated significant harm to biodiversity should not be supported. Decisions should also

consider the suitability of sites for development having regard to ground conditions, contamination, health and living conditions.

Topic 16: Conserving and Enhancing the Historic Environment

3.24 According to Topic 16, applicants are required to describe the significance of heritage assets affected by development. The levels of detail shall be proportionate to the asset. In determining planning applications, LPAs should take account of the following:

- The desirability of sustaining and enhancing the significance of the heritage asset;
- The positive contribution that conservation of the heritage asset can make; and
- The desirability of new development making a positive contribution to local character and distinctiveness.

3.25 Any harm to or loss of a heritage asset will require justification. Development that would lead to substantial harm should be refused unless substantial public benefits that outweigh the harm can be demonstrated.

ii) National Planning Practice Guidance

3.26 On 06 March 2014, the former Department for Communities and Local Government (DCLG) launched a planning practice guidance resource called the Planning Practice Guidance (PPG) to complement the NPPF with guidance on how to implement the framework in practice.

3.27 The relevant sections of the PPG which relate to the planning application are listed below:

- Air Quality;
- Brownfield Land Registers;
- Climate Change;
- Conserving and Enhancing the Historical Environment;
- Determining Planning Applications;
- Effective Use of Land;
- Ensuring the Vitality of Town Centres;
- Design;
- Flood Risk and Coastal Change;
- Health and Wellbeing;
- Noise;

- Open Space, Sports/Recreational Facilities, Public Rights of Way and Local Green Space;
- Planning Obligations;
- Travel Plans, Transport Assessments;
- Water Supply, Wastewater and Water Quality; and
- Viability.

iii) The Development Plan

3.28 The Shepway District Local Plan was adopted 16 March 2006. FHDC subsequently made a request to 'save' a number of the previous Local Plan policies in 2009. These policies remain in place until replaced by the emerging Places and Policies Local Plan.

3.29 The Development Plan for FHDC therefore consists of the adopted Shepway Core Strategy Local Plan (2013) and the 'saved' policies of the Shepway District Local Plan Review (2006).

Shepway Core Strategy Local Plan (2013)

3.30 Policy DSD (Delivering Sustainable Development) reflects the presumption in favour of sustainable development set out in the NPPF and reiterates that planning applications that accord with the policies in the development plan will be approved without delay, unless material considerations indicate otherwise.

3.31 Section 3 sets out three strategic needs for the District, including Strategic Need C: The challenge to improve the quality of life and sense of place, vibrancy and social mix in neighbourhoods, particularly where this minimises disparities in Shepway.

3.32 Policy SS1 (District Spatial Strategy) identifies the following strategic priorities for the Urban (Folkestone and Hythe) Area:

"The future spatial priority for new development in the Urban (Folkestone and Hythe) Area is on promoting the development of vacant previously developed land, central Folkestone and the north of the town, and other locations within walking distance of Folkestone Central railway station; securing new accessible public green space, plus regenerating western Hythe".

3.33 Policy SS2 (Housing and Economy Growth Strategy) sets out the District's housing and economic growth objectives for the plan period. To support housing delivery, a target to deliver approximately 8,000 residential dwellings (Use Class C3) between 2006/7 to 2025/26, with

7,000 dwellings as a minimum, is set. This equates to an average target of 400 dwellings per annum, at least 65% of which are to be provided on previously developed land.

- 3.34 Table 4.3 (Shepway Settlement Hierarchy) splits settlements across the District into the three defined character areas. The Sub-Regional Town comprises urban Folkestone and is identified as suitable to accommodate substantial residential, commercial and social development. Growth in this location contributes towards the protection of open countryside and the achievement of sustainable places, by minimising the length of journeys and maximising the proportion of people who can travel by walking or cycling.

- 3.35 Policy SS3 (Place-Shaping and Sustainable Settlements Strategy) also states that development within Shepway is directed towards existing settlements in a form that contributes towards their role within the settlement hierarchy and local place shaping objectives, in order to promote the creation of sustainable, vibrant and distinct communities.

- 3.36 Policy SS4 (Priority Centres of Activity Strategy) sets out a 'town centre first' policy whereby retail, leisure and major office uses are located within or on the edge of town centres.

- 3.37 Policy SS5 (District Infrastructure Planning) states that development should contribute to, or otherwise address, the District's current and future infrastructure needs. Policy SS5 sets out that infrastructure required to support development must exist already, or a reliable mechanism must be available to ensure that it will be provided at the time it is needed.

- 3.38 Policy CSD1 (Balanced Neighbourhoods for Shepway) states that, subject to viability, all housing development should include a broad range of tenures (incorporating market housing for sale, shared equity and other forms of intermediate housing and affordable rented accommodation) wherever practicable. Development proposing (or land of 0.5ha or more in size) 15 or more dwellings should also provide 30% affordable dwellings, subject to viability.

- 3.39 Paragraph 5.6 states that the additional provisions of the Shepway Affordable Housing SPD (2008) remain in place. Paragraph 5.7 sets out that it is inappropriate to specify the exact tenure mix for residential development and that guiding principles need to be examined in the context of local needs and the circumstances of individual sites.

- 3.40 Policy CSD2 (District Residential Needs) sets out the objective that at least half of new homes will have at least three bedrooms by 2026. In addition, all developments of 10 dwellings or more should include 20% of market dwellings built to Lifetime Homes standards, unless demonstrated to be unfeasible in design or viability terms.

- 3.41 Policy CSD4 (Green Infrastructure of Natural Networks, Open Spaces and Recreation) seeks to encourage improvements in green infrastructure assets throughout the District. An increase in the quantity of green infrastructure will be encouraged, including through the pursuit of opportunities to achieve net gains in biodiversity.
- 3.42 Policy CSD5 (Water and Coastal Environmental Management in Shepway) aims to ensure that development contributes to sustainable water resource management. All new homes are required to include design measures to restrict the maximum level of water usage to 105 litres per person per day or less. New developments cannot increase peak rate and surface water runoff above existing surface water runoff rates and the incorporation of SUD schemes must also be considered.
- 3.43 Policy CSD6 (Central Folkestone Strategy) states that new development in central Folkestone should deliver investment in commercial, cultural and educational uses. New development within the zones identified in Figures 5.5 should also contribute towards public realm improvements and enhance connectivity both to and within Folkestone.
- 3.44 Figure 5.5 identifies two areas deemed suitable for development within Folkestone town centre. Between these areas lies the historic Bayle and Leas Conservation Area. According to policy CSD6, the Leas Conservation Area should be “the focus of preservation and enhancements”.

Saved Policies of the Shepway District Local Plan Review (2006)

- 3.45 As discussed, a number of policies in the Shepway District Local Plan were ‘saved’ by the Secretary of State and continue to form part of the Development Plan. The following ‘saved’ policies of the Shepway District Local Plan Review (2006) are considered to be relevant to the proposal:
- 3.46 Policy SD1 (Sustainable Development) is a criteria-based policy that seeks to ensure that all development proposals should take account of the broad aim of sustainable development.
- 3.47 Policy H01 (New Residential Development) seeks to permit residential development on sites which form part of the land supply. The redevelopment of previously developed sites or infill within existing urban areas may be permitted, subject to environmental and highway safety concerns.
- 3.48 Policy BE1 (Standards expected for new development in terms of layout, design, materials etc.) seeks a high standard of layout, design and choice of materials for all new development.

- 3.49 Policy BE5 (Control of Works to Listed Buildings) is a criteria-based policy that seeks to preserve listed buildings and their settings. Whilst this policy principally seeks to control works to listed buildings themselves, criterion (e) also states that the District Planning Authority will refuse applications for development which would adversely affect the setting or character of a listed building.
- 3.50 Policy BE16 (Requirement for Comprehensive Landscaping Schemes) states that development proposals should retain important existing landscape features and make appropriate provision for new planting, using locally native species of plants wherever possible.
- 3.51 Policy U2 (Sewage and Wastewater Disposal) states that planning permission for housing developments of five or more dwellings will be refused unless connection is made to the nearest available mains drainage system with capacity to serve the development, or details are submitted to show how the development will be connected to a mains drainage system.
- 3.52 Policy U4 (Protection of Ground and Surface Water Resources) seeks evidence that the development would not lead to an unacceptable risk to the quality or potential yield of surface or ground water resources, or an unacceptable risk of pollution.
- 3.53 Policy U14 (Renewable Energy Sources) seeks to reduce fossil fuel consumption and encourage the use of renewable sources of energy.
- 3.54 Policy TR5 (Provision of facilities for cycling in new developments and contributions towards cycle routes) requires the provision of secure and practically located facilities for cyclists in all new developments which are expected to generate a regular flow of traffic.
- 3.55 Policy TR6 (Provision for Pedestrians) requires the layout of developments to provide for safe, attractive and convenient pedestrian routes, particularly to public transport routes.
- 3.56 Policy TR11 (Accesses onto Highway Network) is a criteria-based policy that seeks to ensure that new accesses to a highway and the intensification of an existing access will only be permitted where safe for vehicle traffic, cyclists and pedestrians.
- 3.57 Policy TR12 (Vehicle Parking Standards) sets out that new development will only be permitted if it makes provision for off street parking on or close to the site, in accordance with the current maximum vehicle parking standards (set out in section iv).

- 3.58 Policy TR13 (Travel Plans) states that a Travel Plan should be submitted alongside a planning application where development proposals are considered likely to have significant transport implications.

The Kent Minerals and Waste Local Plan (2016)

- 3.59 The Kent Minerals and Waste Local Plan (KMWLP) sets out the strategy for waste management and mineral provision in Kent, up to 2030. The KMWLP (2016) Mineral Safeguarding Areas Map for 'Shepway District' confirms that the Site is not subject to any relevant minerals safeguarding designations.

iv) Other Material Considerations

Emerging Places and Policies Local Plan Submission Draft Main Modifications (Jan 2020)

- 3.60 The emerging Places and Policies Local Plan was subject to Examination in Public (EiP) in May 2019. For the Plan to be found sound, the Inspector recommended some changes to the policies and supporting text. These Main Modifications were published for consultation on 13 January 2020 and subsequently returned to the Inspector on 2 March 2020.
- 3.61 Although not yet adopted, the following policies from the emerging Places and Policies Local Plan are considered relevant to the development proposal:
- 3.62 Policy HB1 (Quality Places Through Design) is a criteria-based policy that sets out that planning permission will be granted where a proposal makes a positive contribution to its surroundings, facilitates the ease of movement, enhances areas of open space, does not lead to an adverse impact on the amenity of future occupiers and provides both high-quality public and private realm. According to Policy HB1, proposals must also align with other relevant policies within the development plan and responds positively to the design guidance contained within relevant Town and Village Design Statements and Neighbourhood Plans.
- 3.63 Policy HB2 (Cohesive Design) seeks that a design statement is prepared to demonstrate that major housing developments, or proposals on sensitive sites, comply with Building for Life 12 as far as is reasonably practical. New major development must also integrate into the existing neighbourhood and create new places, streets and homes. In particular, proposals should 'create a place with a locally inspired or otherwise distinct character'.
- 3.64 Policy HB3 (Internal and External Space Standards) requires that new residential development meets the nationally described technical housing space standard. An area of private open

space, including balconies with a minimum depth of 1.5m for flats, should also be provided for each new dwelling. The internal space standards relevant to the proposal are listed below:

Table 1: HB3 Internal Space Standards

Number of Bedrooms	Number of Bed Spaces (Persons)	Standard (sqm)	Built-in Storage (sqm)
1	2	50	1.5
2	4	70	2
3	5	86	2.5
	6	95	2.5

- 3.65 Policy C1 (Creating a Sense of Place) seeks that all new major development creates a sense of place through methods such as landscaping, public art, water features, lighting and/or the use of historic references. Such schemes must engage the local community and take into consideration the unique circumstances of and aspirations for the site.
- 3.66 Policy C3 (Provision of Open Space) requires proposals of 20 or more dwellings to provide for open space, in accordance with the Council's standards. Where this would not be appropriate or desirable, the open space requirement may be met by commuted sum payments towards the provision or improvement of open space nearby on a scale related to that of the proposed development.
- 3.67 Policy T2 (Parking Standards) seeks sufficient provision of residential parking that is well integrated and does not dominate the street. Residential and visitor parking is to be provided in accordance with the latest KCC guidance, whilst also taking account of local context.
- 3.68 Policy T5 (Cycle Parking) states that planning permission will be granted for residential development, subject to the provision of suitable cycle parking in accordance with the most recent KCC guidance.
- 3.69 Policy NE1 (Enhancing and Managing Access to the Natural Environment) seeks to enhance access to the natural environment by improving links from urban locations to key areas of open space.
- 3.70 Policy NE2 (Biodiversity) states that all new development will be required to conserve and enhance the natural environment. In particular, FHDC will support features that enhance biodiversity as part of good design.

- 3.71 Policy NE5 (Light Pollution and External Illumination) requires that applications for major development do not materially alter light levels outside the development site. Put simply, proposals must not adversely affect the use of nearby buildings or open spaces.
- 3.72 Policy NE7 (Contaminated Land) states that development will be permitted subject to the identification of - and commitment to treat - any contaminated land, in the interest of public health and safety. In accordance with Policy NE7, such remedial measures should not damage any associated historic artifacts.
- 3.73 Policy NE8 (Integrated Coastal Management) sets out a number of objectives relating to development in coastal areas. Proposals that facilitate the economic, environmental and social wellbeing of coastal areas will be supported, subject to the appropriate consideration of marine wildlife. Policy NE8 also seeks to support sustainable modes of transport through improvements to cycleways, bridleways and footpaths.
- 3.74 Policy CC1 (Reducing Carbon Emissions) states that proposals for major development will be required to reduce carbon emission by a minimum of 10% above the Target Emission Rate (Building Regulations for England approved document L1A: Conservation of Fuel and Power in Dwellings) subject to viability. This reduction should be achieved through the use of on-site renewables and low carbon technologies either in the form of an integrated system or a site-wide solution.
- 3.75 Policy CC2 (Sustainable Design and Construction) sets out various measures which contribute towards sustainable development. For instance, all new housing should be built to limit water use to 110 litres per person per day, where feasible. New non-residential development should also achieve BREEAM 'very good' standard, where viable. Measures to minimise energy demand and adapt to climate change are to be incorporated through good design.
- 3.76 Policy CC3 (Sustainable Drainage Systems) seeks that surface water is managed close to its Source where reasonably practicable to do so. In particular, criterion (4) of Policy CC3 states that features responsible for managing surface water must be commensurate with the design of the development, with regard to size, form and materials.
- 3.77 Policy HW4 (Promoting Active Travel) states that development sites must have, or will attain, sufficient integration and accessibility by walking and cycling. This policy emphasises the protection of and desired improvements to pedestrian and cycle networks thorough development.

- 3.78 Policy HE1 (Heritage Assets) sets out support for development proposals which promote an appropriate and viable use of heritage assets. These uses must be:

"consistent with their conservation and their significance, particularly where these bring at risk or under-used heritage assets back into use or improve public accessibility to the asset".

- 3.79 Policy HE2 (Archaeology) states that important archaeological sites will be protected and enhanced where possible. Proposals for new development must therefore include a description of the significance of any heritage assets that may be affected, including the contribution of their setting. The resulting impact of the development proposals should be sufficiently assessed, using appropriate expertise where necessary.
- 3.80 Policy HE3 (Local List of Heritage Assets) sets out that proposals affecting sites identified on the local list of heritage assets, or sites that meet this criterion, will be permitted where the significance accounting for the designation is appropriately protected and conserved.

Core Strategy Review Submission Draft (Feb 2020)

- 3.81 The level of growth proposed in the Places and Policies Local Plan is considered further in the Core Strategy Review. The Core Strategy Review was submitted to the Secretary of State on 10 March 2020, and is awarded significant weight at this stage. Within the Core Strategy Review some policies are new, some are amended and some are largely unchanged from the adopted Core Strategy (2013) as set out below:
- 3.82 Policy DSD (Delivering Sustainable Development) has been removed from the Core Strategy (2013). This is because the requirement for sustainable development is now set out in Section 2 of the NPPF, which states that national policy should not be repeated in Local Plans.
- 3.83 Policy SS1 (District Spatial Strategy) has been amended to account for the new garden settlement within the District.
- 3.84 Policy SS2 (Housing and the Economy Growth Strategy) has been amended to reflect the new growth requirements for FHDC. The housing requirement is now 738 dpa (Use Class C2/C3) from 2019/2020 to 2036/37, equating to a total requirement of 13,285 new homes over the plan period.
- 3.85 Policy SS3 (Place-Shaping and Sustainable Settlements Strategy) states that the principle of development is likely to be acceptable on previously developed land within defined settlements,

subject to environmental value. As with the Policy SS3 (2013) the proposed use, scale and impact of development should be proportionate and consistent with the settlement hierarchy.

- 3.86 Policy SS5 (District Infrastructure Planning) explains that the Community Infrastructure Levy (CIL) has been introduced. This is to ensure that, alongside S106 contributions, sufficient resources are in place to meet the infrastructure needs of the District.
- 3.87 Policy CSD1 (Balanced Neighbourhoods) seeks that developments proposing 15 or more dwellings (or land of 0.5ha or more in size) provide a minimum of 22% affordable dwellings on-site. Notwithstanding this, full account will be taken of viability where an appropriate viability assessment is provided alongside a planning application.
- 3.88 Policy CSD2 (District Residential Needs) sets out the spatial approach to managing residential needs within the District. The FHDC Strategic Housing Market Assessment (SHMA) should be used as a starting point for determining an appropriate mix of tenure and size. The mix identified in the SHMA (2016) is as follows:

Table 2: SHMA Unit Mix

Tenure	1 Bed	2/3 Bed	4 Bed +
Owner Occupied/Private Rent	5 – 20%	65 – 70%	15 – 30%
Affordable	20 – 25%	50 – 60%	20 – 25%

- 3.89 Policy CSD4 (Green Infrastructure of Natural Networks, Open Space and Recreation) requires that all green infrastructure be protected and enhanced. Reference to biodiversity net gain has also been included, whereby new development must avoid a net loss of biodiversity and achieve net gain over and above the residual loss.
- 3.90 Policy CSD5 (Water and Coastal Environmental Management) has been updated to reflect the new Government standards and the introduction of BREEAM.

v) Relevant Planning Policy Considerations

Affordable Housing SPD (2008)

- 3.91 The Affordable Housing SPD gives detailed advice to applicants and is referred to in the Core Strategy Local Plan (2013).
- 3.92 The SPD:

- Seeks distribution of affordable units throughout any scheme with no clear distinction between affordable and market housing;
- States that the mix of affordable housing to be provided will be assessed in relation to the most up to date information on housing need in the locality;
- States that the Council's Housing Strategy Manager will be consulted on any planning application where affordable housing is required to identify a preferred mix of dwelling types and sizes. It is recognised that local circumstances and conditions may enable an alternative mix;
- Recommends that all new houses should be expected to achieve at least level 3 of the Code for Sustainable Homes; and
- States that all affordable housing should achieve a minimum density of 30dph.

Kent Design Guide (2005/06, 2007)

- 3.93 The Kent Design Guide seeks contemporary development that adds to the distinctive character of Kent. It provides a starting point for good design, whilst allowing for creative approaches towards different buildings in different areas.

KCC Interim Guidance Note 3: Residential Parking (2008)

- 3.94 This document requires the following 'maximum' standards of parking, shown in the table below, to be adhered to in Folkestone. However, within their pre-application response KCC Highways stated that:

"With regard to the car parking allocation, the site falls within the Town Centre clarification in IGN 3 Parking Guidance (the same within FHDC Places and Policies document). As such parking standards are maximum and a lesser provision than 1 space per apartment is acceptable".

Table 3: KCC IGN 3 Vehicle Parking Standards (Edge of Centre)

Dwelling Type	Parking Standard
1 & 2 Bed Flats	1 Space per Unit (unallocated)
1 & 2 Bed Houses	1 Space per Unit (allocation possible)
3 Bed Houses	1 Space per Unit (allocation possible)
4+ Bed Houses	1.5 Spaces per Unit (allocation possible)
Additional Visitor Spaces	0.2 Per Unit

KCC Cycle Parking Standards (July 2006)

3.95 This document requires the following standards of cycle parking to be adhered to:

Table 4: KCC Cycle Parking Standards – SPG4 (July 2006)

Dwelling Type	Cycle Parking Standard
Individual Residential Dwellings	1 Space per Bedroom
Flats & Maisonettes	1 Space per Unit
Sheltered Accommodation	1 Space per 5 Units

4.0 THE PROPOSED DEVELOPMENT

- 4.1 This Section of the Planning and Listed Building Consent Statement describes the Proposed Development, which has the following Description of Development for the planning application:

"Restoration of the Leas Pavilion, including external and internal alterations in connection with the use of the building for ancillary residential use (Class C3), and flexible use for public events (Class D2), together with the construction of a nine storey residential apartment block (5 full storeys, with setbacks to the upper storeys) and associated cycle and refuse storage, and landscaping, with two parking areas provided at half-basement level, accessed from Longford Terrace and Longford Way (the proposed development will provide 91 residential units and 39 car parking spaces)" (the 'Proposed Development')."

- 4.2 The Proposed Development has the following Description of Development for the Listed Building Consent application:

"Listed building consent for the restoration of the Leas Pavilion, including external and internal alterations in connection with use of the building for ancillary residential use (Class C3), and flexible use for public events (Class D2), and construction of a residential apartment block".

- 4.3 In summary, the Proposed Development comprises:

- Restoration of the Leas Pavilion, including external and internal alterations;
- Flexible use of the Leas Pavilion as ancillary residential use (Class C3) and flexible use for public events (Class D2);
- Construction of nine storey residential apartment block with five full storeys and setbacks to the upper storeys;
- 91 residential units;
- 39 car parking spaces, within two parking areas at half-basement level, accessed from Longford Terrace and Longford Way;
- All car parking spaces will have electric vehicle charging points;
- Wheelchair adaptable units;
- All units have private balconies;
- Hard and soft landscaping; and
- 91 secured, covered cycle spaces.

- 4.4 The Proposed Development is summarised below with further detailed design information included in the accompanying Design and Access Statement prepared by Hollaway Architects in support of the applications, as well as the various supporting technical documents.

Table 5: Proposed Floorspace

Use Class	GIA (sqm)	GEA (sqm)
Residential (C3)	9,337	9,869
Flexible residential (C3)/Assembly and Leisure (D2)	1,258	1,451

- 4.5 In addition, car parking, cycle parking, refuse storage and plant areas are proposed.

i) Restoration of the Leas Pavilion

- 4.6 When the Leas Pavilion was converted into a theatre in 1928 there were several alterations made to convert the original tearoom to a theatre. This included removing the colonnade and gallery at the northern end to create space for the stage. The arched colonnade was also removed on the lower ground floor to allow more seating in the auditorium space, and to improve sightlines to the stage. The proposals are to restore the Grade II listed Leas Pavilion to its original 1902 Edwardian form.
- 4.7 The Leas Pavilion has been disused for the last ten years. In this time the building has fallen into a considerable state of disrepair. The Design and Access Statement, prepared by Hollaway Architects, provides a detailed photographic report on the condition of the buildings. A non-exhaustive list of the details of the condition of the building, and some of the proposed measures to restore it, are provided below:
- The frontage has suffered serious structural damage;
 - Specialist structural work will be undertaken to stabilise the terracotta facades and restore them to their former glory;
 - The terracotta is damaged in several places and will be sensitively repaired by a terracotta specialist;
 - Broken terracotta pieces from the front facade have been salvaged and will be repaired and returned to their previous locations;
 - The asphalt courtyard has cracked and bubbled - water gathering in the lower areas is leaking into the basement below;
 - Water is leaking into the old bowling alley - works are required to stop the ingress of water, to ensure the area is structurally sound and to repair and refurbish the space;
 - The roof of the beer cellar has collapsed;

- Although the main roof is now watertight, the ceiling has been damaged;
- The brickwork on the east facade is in need of repair;
- The stage has been stripped to a bare concrete structure which dominates the interior;
- The Art Nouveau stained glass windows on the front facade will be carefully restored;
- The columns in the main auditorium will be restored to their original form; and
- The highly decorative ceiling and lantern ceiling feature will be restored.

4.8 Further details on the current condition of the Leas Pavilion, and the measures proposed to restore it to its former glory, are provided in the Design and Statement, the Heritage Statement, prepared by the Heritage Collective, and the Structural Inspection and Appraisal report, prepared by Ramboll.

4.9 As part of the Proposed Development, the Leas Pavilion would be used as an ancillary residential space by future residents. The Leas Pavilion would also be used for occasional public events. The main entrance would be used for the events and by residents to access their apartments, with a 24-hour concierge at the front of the building. When an event is being held, residents would access their apartments through secondary entrances along the 'wings' at the front of the building. In the galleries of the Leas Pavilion it is proposed to exhibit images from the Leas Pavilion Archive.

ii) Residential Floorspace (Use Class C3)

4.10 The residential floorspace of the scheme will comprise of 91 units. The proposed mix of residential units is as follows:

Table 6: Proposed Residential Mix

Unit Type	1 Bedroom (2 person)	2 Bedroom (4 person)	3 Bedroom (5 person)	3 Bedroom (6 person)
Total (91 units)	16	65	7	3

iii) Affordable Housing

4.11 The provision of affordable housing within the Proposed Development is to be discussed further with FHDC as part of the application process, and would be subject to viability.

iv) Design Principles

- 4.12 The wider context to the Leas shows a number of large buildings such as The Metropole, The Grand and No. 1 The Leas, dating from the 1890s to recent times. In the local context to the building, there is a strong linear frontage to the Leas. When the hotels either side of the Leas Pavilion were destroyed in 1994, two large gaps were created in the street scene. The Proposed development brings back the strong frontage to the Leas and repairs the streetscene.
- 4.13 The Proposed Development is designed to give prominence to the Leas Pavilion, whilst also infilling the historic frontage to the Leas. The building above the parking level is angled to give breathing space to the Leas Pavilion so that its front facade can be most appreciated by those using the Leas. The Proposed Development is designed in the context of the other large scale residential buildings situated on the Leas. The design takes clues from these grand buildings. Many of the large scale buildings on the Leas demonstrate a strong sense of symmetry, and also show two tower-like elements, one at each end of the buildings' front facades.
- 4.14 The proposed building mirrors the strong sense of symmetry visible in the Leas Pavilion building. Like the Leas Pavilion, the Proposed Development has two symmetrical wings joined by a central building section. Many of the surrounding buildings demonstrate a different visual language at ground floor level through the use of a different materiality, textures or different rhythm to the facade. Most of the surrounding buildings then have a main block of accommodation which demonstrate strong vertical bays and horizontal decorative ribboning, while the taller buildings tier the accommodation back into the roof. In order to break down the building's volume, the proposed building also uses a different visual language at ground floor level (a terracotta-coloured reconstituted stone plinth), a main solid block of accommodation, and is then tiered back at its upper levels.
- 4.15 The proposed design is orientated towards the sea. As the building tiers back it creates large south facing terraces capturing views of the sea, with oblique sea views from units on the flanks of the proposed building. All units would have a sea view.
- 4.16 Following pre-application discussions with FHDC and Historic England, and to respond to comments received from the public consultation, there has been further design development:
- The west wing of the building has been pushed back by 2 metres. The front of the apartments are now aligned with the front wings of the Leas Pavilion and the upper tiers of the Whitecliffs apartment blocks (to the west of the Site;

- The angle of the front facade has been re-orientated so that the building has a stronger frontage onto the Leas. The furthest point of the facade has been brought forward a metre, reducing the angle by 25% (5 degrees);
- A gentle angle has been retained on the front facade to open up views to the listed Leas Pavilion at the centre of the proposed Development, and allows oblique views of the Leas Pavilion from multiple locations along The Leas;
- The angled front facade helps to unify the proposed building, bringing the two wings, the bridging element and the Leas Pavilion into one cohesive scheme;
- There is increased solidity on the corners to closer reflect the Victorian architecture within the locality. The glass further towards the front has been retained to allow panoramic sea views from the front apartments and to make the building appear more lightweight at the front;
- Consideration of detail to the plinth, improving to privacy at first floor of accommodation level, and the consideration of the building's relationship to the street;
- The provision of ventilation to car park level;
- Consideration of the junction between the proposed building and the existing Victorian Terrace on Longford Terrace;
- Further development of the implementation of the influence of Victorian Terrace detail on the proposed lower floors, including vertical bays and solidity, horizontal banding, and contrasting detail of cladding to the first floor of accommodation; and
- Further development of the contrast between the lower floors of the east and west wings, against the upper floors and the central floors, in order to emphasis the influence of Victorian / Edwardian Terraces on the east and west wings.

4.17 The materials to be used on the Proposed Development include Terracotta-coloured reconstituted stone panels to the plinth at ground floor level, off-white reconstituted stone to the upper levels, and metal vents surrounding the glazing. Further information on the design of the Proposed Development is provided in the Design and Access Statement prepared by Hollaway.

v) Transport

4.18 The Site benefits from being on the edge of Folkestone's town centre. It is evident that due to the location of the Site, and the existing sustainable transport network and facilities, this would allow for a real alternative to residents using private cars. The Proposed Development would provide 39 car parking spaces within two separate parking areas provided at half-basement level, accessed from Longford Terrace and Longford Way. Electric vehicle charging points will

be provided in all parking spaces. 91 cycle storage spaces will be provided in the basement, with one locker per flat.

- 4.19 Refuse collection will be on-street using the 'square' of local streets around the site. It has been confirmed with FHDC that a refuse freighter will fit under the 14'6" height restriction on Longford Way. Refuse bin stores would be provided adjacent to the car parking areas at half-basement level.
- 4.20 The application is supported by a Transport Statement, prepared by Stantec, which concludes that the Proposed Development should not result in any adverse unacceptable impacts in terms of highway amenity, capacity and safety, and that an appropriate number of parking spaces would be provided for this type of development in this location.

5.0 PLANNING ASSESSMENT OF THE PROPOSED DEVELOPMENT

5.1 This Section of the report sets out the assessment of the Proposed Development against the national and local planning policy that has been summarised in Section 3.

i) Delivering Sustainable Development

5.2 The NPPF describes the purpose of the planning system as to contribute to the achievement of sustainable development, which can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. The NPPF describes the three overarching objectives of sustainable development: economic, social and environmental. This aim is supported by Core Strategy Policy DSD (Delivering Sustainable Development), and Local Plan Review (2013 onwards) (LPR) Policy SD1 (Sustainable Development). The Summary and Conclusions at the end of this Planning Statement will provide an overall assessment of the Proposed Development in terms of these objectives.

ii) Making Effective Use of Land

5.3 The Proposed Development aims to make effective use of and optimise the potential of this accessible and underused brownfield site. The Proposed Development is the outcome of a design-led approach which has sought to restore and save the listed Leas Pavilion, while identifying its optimum development capacity. The Proposed Development is in line with national and local planning policies and emerging planning policy, including:

- NPPF Paragraph 118 which states 'substantial weight' should be given to the use of suitable brownfield land for homes and other identified needs;
- The Development Plan which identifies 'major opportunities' on 'brownfield land' in and around Folkestone's seafront; and
- The Core Strategy's identified need to optimise housing output.

5.4 The assessment below demonstrates that the Proposed Development not only accords with the Development Plan, but also secures the delivery of development on a sustainable brownfield site that contributes towards the Council's 5-year housing land supply.

iii) Housing Delivery

5.5 The most recent Annual Monitoring Report (March 2018) states that FHDC has a 7.19 year housing supply, based on the adopted housing figure of 350 dwellings per annum (Core

Strategy 2013). However, the emerging Places and Policies Local Plan identifies a total supply of 9,985 dwellings over the plan period (2006/07 – 2030/31) from completions, allocations and windfalls, equating to approximately 400 dwellings per annum (dpa).

- 5.6 In 2017, FHDC produced a Strategic Housing Market Assessment (SHMA) to provide an updated assessment of housing need, indicating a requirement of 633 dpa. Based on this requirement, a 5-year housing supply is not demonstrated. Emerging Core Strategy Policy SS2 (Housing and Economic Growth) identifies a long-term requirement to deliver 739 dwellings (Class C2/C3) a year on average from 2019/2020 to 2036/2037, a total of 13,285 new homes over the plan period.

Housing Requirement	Dwellings per Annum (dpa)
Adopted Requirement	350 dpa
Updated Housing Need	633 dpa
Standard Method Requirement	755 dpa
Average Delivery (2016 – 2018)	487 dpa
Emerging Core Strategy (2020)	739 dpa

- 5.7 In accordance with Paragraph 73 of the NPPF, where strategic policies are more than five years old, authorities should provide a minimum of five years' worth of housing against local need (the standard method). Therefore, until the emerging Places and Policies Plan is adopted, the 5-year housing land supply figure must be considered against the higher standard method figure, engaging the tilted planning balance. The delivery of housing on this site is supported by Core Strategy Policy SS2 (Housing and the Economy Growth Strategy), and LPR Policy HO1 (New Residential Development).

- 5.8 The planning assessment of the Proposed Development includes:

- The principle of development;
- Design;
- Heritage considerations;
- Relationship to neighbours;
- Affordable housing;
- Housing quality;
- Unit Mix;
- Accessibility;
- Transport;
- Climate change;
- Water and drainage; and

- Other matters.

iv) Principle of Development

- 5.9 The principle of the restoration of the Leas Pavilion, and the construction of an enabling residential development has already been established by the Listed Building Consent granted on 11 September 2009 (Ref: Y08/1213/SH), and the related planning permission granted on 29 April 2015 (Ref: Y08/1212/SH).
- 5.10 Notwithstanding this precedent, the Site is located within the defined settlement boundary of Folkestone, where the residential development of previously developed sites, or infill residential development, is supported by Core Strategy Policies SS1 (District Spatial Strategy), SS3 (Place-Shaping and Sustainable Settlements Strategy), SS6 (2013) SS10 (2020) (Spatial Strategy for Folkestone Seafront), and CSD2 (District Residential Needs), subject to environmental and highways safety considerations.
- 5.11 Through the pre-application process, FHDC confirmed that the principle of development was acceptable, including the restoration of the Leas Pavilion and its future community use, as well as the enabling residential development. The Proposed Development would make efficient use of the land, and deliver sustainable development alongside much need housing. Therefore, the Proposed Development would be in accordance with the NPPF; Core Strategy Policies DSD (Delivering Sustainable Development), SS1, SS2, SS3, SS6 (2013), SS10(2020) and CSD2; and LPR Policies SD1 and HO1.

v) Design

- 5.12 Chapter 12 of the NPPF seeks to 'achieve well-designed places', and Paragraph 134 states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 5.13 Core Strategy Policy SS3 (Place-Shaping and Sustainable Settlements Strategy) seeks a designed and sustainable access approach should be taken to density and layout, ensuring development is suited to the locality and its needs, and transport infrastructure (particularly walking/cycling). Efficient use should be made of central land in town centres or in easy walking distance of rail and bus stations, with appropriate redevelopment of complementary uses above ground floor retail, leisure or other active uses, to directly support the vitality of centres. Policy

SS3 states further that proposals should be designed to contribute to local place-shaping and sustainable development by respecting and enhancing key historic features of conservation interest; and there should be appropriate sustainable construction measures, including water efficiency and a proportion of energy from renewable and low carbon sources on new-build development.

- 5.14 Core Strategy Policy CSD6 (Central Folkestone Strategy) seeks that new development in central Folkestone should deliver investment in commercial, cultural and educational uses and contribute to public realm improvements that enhance the physical environment/sense of security, and improve connectivity both to and within the Town Centre. Policy CSD6 also requires new development to be of very high-quality design that contributes to and improves the existing character and townscape of the area. The Seafront/Creative Quarter Regeneration Arc provides major opportunities for development to contribute to strategic needs and to upgrade the fabric of the town, drawing from its past and potential sense of place.
- 5.15 LPR Policy BE1 (Building design, layout and special needs access) expects a high standard of layout, design and choice of materials for all new development. Materials should be sympathetic to those predominating locally in type, colour and texture. Development should accord with existing development in the locality, where the site and surrounding development are physically and visually interrelated in respect of building form, mass, height, and elevational details.
- 5.16 Through emerging PPLP Policy C1 (Creating A Sense of Place), the Council expects all new major development to demonstrate a deliverable and fully resourced project for fostering a sense of place through methods such as landscaping, public art, water features, lighting and/or through the use historic references.
- 5.17 Emerging Places and Policies Local Plan (PPLP) Policy HB1 (Quality Places Through Design) requires development to makes a positive contribution to its location and surroundings, enhancing integration while also respecting existing buildings and land uses, particularly with regard to layout, scale, proportions, massing, form, density, materiality and mix of uses so as to ensure all proposals create places of character. Policy HB1 also seeks that development creates, enhances and integrates areas of public open space, green infrastructure, biodiversity and heritage and other public realm assets. Emerging PPLP Policy HB2 (Cohesive Design) requires development to 'integrates into the neighbourhood' by integrating into its surroundings by reinforcing existing connections and creating new ones where appropriate; while also respecting existing buildings and land uses along the boundaries of the development site. Policy HB2 also seeks development to 'create a place' with a locally inspired or otherwise distinctive character, well related to the local landscape character.

- 5.18 The Site is located within central Folkestone and occupies a key transition zone between the town centre and the Leas. The existing Leas Pavilion is 'sunken' mostly below street level, and with the existing car parks on either side, creates a 'gap' within the urban fabric and streetscene. It relates poorly to nearby residential properties, and does not generally contribute positively to the character of the streetscape and the townscape of the wider surrounding area. It is considered that the redevelopment of the Site would greatly improve the character and visual appearance of the Site, and the surrounding area, particularly through 'repairing' the gap in the streetscene, and the high quality design would improve the character and townscape of the area.
- 5.19 The design of the Proposed Development is considered to be in accordance with the NPPF and Core Strategy Policy SS3, as it responds to the existing character 'of place' by identifying the special and valued features and characteristics that are unique to the locality. The new building would respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character, such as the use of a modern interpretation of the decorative horizontal banding visible on Longford Terrace and other surrounding buildings.
- 5.20 The use of high quality contemporary materials is considered to be acceptable, and would complement the local townscape of Leas Pavilion, with the Terracotta-coloured reconstituted stone plinth being particularly effective in linking the Proposed Development to the existing Leas Pavilion. The materials palette has been selected with reference to the character of the existing urban and historic townscape, and the detailing of the external facades uses these materials to add a contemporary flair to the proposed building that is respectful of neighbouring designated and non-designated heritage assets.
- 5.21 While the Proposed Development would result in a substantial building, it would be suited to its locality and would make efficient use of central land in a town centre, in accordance with Core Strategy Policy SS3. The Proposed Development would also be in accordance with the design principles of Paragraph 127 of the NPPF, as it will function well and add to the overall quality of the area. It would result in a visually attractive building as a result of good architecture and its layout, and would be sympathetic to local character and history, including the surrounding built environment. The wider context to The Leas shows a number of large buildings such as The Metropole, The Grand and No. 1 The Leas, and the height and massing of the Proposed Development would fit comfortably in this wider context, as well as the local streetscene and townscape. The Proposed Development would bring back the strong frontage to The Leas and repair the gap in the streetscene, and would be in accordance with emerging PPLP Policies C1, HB1 and HB2, as it would make a positive contribution to its location and surroundings, and would create a place of character and distinctiveness through its high quality design.

- 5.22 The Proposed Development is designed to give prominence to the Leas Pavilion, whilst also infilling the historic frontage to the Leas. The building above the parking level is angled to give breathing space to the Leas Pavilion so that its front facade can be most appreciated by those using the Leas. The Proposed Development is designed in the context of the other large scale buildings situated on the Leas. The design takes clues from these grand buildings. Many of the large scale buildings on the Leas demonstrate a strong sense of symmetry, and also show two tower-like elements, one at each end of the buildings' front facades. The layout, scale and massing would be in accordance with emerging PPLP Policies HB1 and HB2, as it would not be out of context with the other large buildings along The Leas, and would integrate into its neighbourhood.
- 5.23 The proposed building mirrors the strong sense of symmetry visible in the Leas Pavilion building. Like the Leas Pavilion, the Proposed Development has two symmetrical wings joined by a central building section. Many of the surrounding buildings demonstrate a different visual language at ground floor level through the use of a different materiality, textures or different rhythm to the facade. Most of the surrounding buildings then have a main block of accommodation which demonstrate strong vertical bays and horizontal decorative ribboning, while the taller buildings tier the accommodation back at higher levels. In order to break down the building's volume, the proposed building also uses a different visual language at ground floor level (a terracotta-coloured plinth), a main solid block of accommodation above, and then the building is tiered back at its upper levels.
- 5.24 The proposed design is orientated towards the sea. As the building tiers back it creates large south facing terraces capturing views of the sea, with oblique sea views from units on the flanks of the proposed building.
- 5.25 In summary, the Proposed Development would make a positive contribution to the local streetscape and wider townscape, and would incorporate the highest quality materials and design appropriate to its context. The new building would enhance the local context, and respond to the character of this part of Folkestone, and ultimately would represent a high quality and standard of design. The Proposed Development has recognised its context and responded through its design, height and massing, to reflect elements of prominent and historic buildings in the area. The Proposed Development responds meaningfully and sensitively to the Site, its characteristics and constraints, and the layout, grain, massing and height of surrounding buildings. Therefore, it is considered that the Proposed Development will generally be in accordance with the NPPF, Core Strategy Policies SS3 and CSD6, and emerging PPLP Policies C1, HB1 and HB2.

vi) Heritage Considerations

- 5.26 Chapter 16 of the NPPF seeks to 'conserve and enhance the historic environment' and Paragraph 184 identifies that these assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. In determining planning applications, Paragraph 192 requires local planning authorities to take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.
- 5.27 According to Paragraph 196 of the NPPF, 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. Paragraph 200 of the NPPF requires local planning authorities to look for opportunities for new development within Conservation Areas and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.
- 5.28 The analysis of the potential impacts on local heritage assets has considered the tests set out in Sections 66(1) and 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 (LBCA). S72(1) states the duty to pay "special attention to the desirability of preserving or enhancing the character or appearance" of conservation areas, and S66(1) to have "special regard to the desirability of preserving" listed buildings or their settings. Case law has established that "preserving" in both sections means "doing no harm".
- 5.29 Core Strategy Policy SS3 (Place-Shaping and Sustainable Settlements Strategy) states that proposals should be designed to contribute to local place-shaping and sustainable development by respecting and enhancing key historic features of conservation interest. LPR Policy BE4 (Conservation Areas) requires the height, scale, form and materials of new development to respect the character of Conservation Areas. LPR Policy BE5 (Listed Buildings) seeks to preserve listed buildings and their settings and any features of special architectural or historic interest which they possess. Policy BE5 also encourages the retention of buildings of architectural and/or historic importance but recognises that their repair and maintenance costs can be particularly high, involving techniques and materials more expensive than those required for modern buildings.
- 5.30 Emerging PPLP Policy HE1 (Heritage Assets) states that the Council will grant permission for proposals which promote an appropriate and viable use of heritage assets, consistent with their

conservation and their significance, particularly where these bring at risk or under-used heritage assets back into use or improve public accessibility to the asset.

- 5.31 The Site is a 'brownfield' previously developed site which along with the Grade II listed Leas Pavilion, is currently occupied by two poorly maintained and visually unattractive car parking areas. The design of the Proposed Development has evolved to take into consideration the setting of the Leas Pavilion, and its location within the Folkestone Conservation Area. This includes measures to set the building back to align with the 'wings' at the front of the Leas Pavilion, and designing the building at an angle to better reveal the Leas Pavilion, which is currently located in a 'sunken' half-basement level position. These measures, along with the high quality design and materials, should ensure that the Proposed Development is suitable and sensitively embedded within its heritage setting. The Site is also located within the setting of the Grade II* listed Leas Lift.
- 5.32 A Heritage Statement, prepared by the Heritage Collective, has been submitted in support of the application. The Proposed Development results in a high quality and carefully considered approach for the redevelopment and conversion of the listed building and wider site. The Proposed Development is clearly informed by the significance of the listed building, conservation area and nearby heritage assets and townscape, and most importantly it would secure the conservation of the listed building, providing it with an active use that it is likely to be its optimum viable use. Given the deteriorated and deteriorating state of the building there is a clear urgency in terms of securing planning permission and listed building consent so that on site works can begin to ensure the future of the building is secured. It is considered that the new built form on the current flanking car parks are sensitively designed and bring about a number of heritage benefits, particularly with regards to enhancing and restoration of the Leas Pavilion, and the enhancing of the character and appearance of the Folkestone Conservation Area.
- 5.33 While some aspects of the Proposed Development may result in harm to the significance of the Leas Pavilion (commensurate with a medium level of less than substantial harm in NPPF terms), there are considerable heritage public benefits which would weigh against this. Therefore, the Proposed Development would be in accordance with Paragraph 196 of the NPPF, and Paragraph 020 of National Planning Policy Guidance. Considered holistically, the Proposed Development is found to preserve and enhance significance of the Grade II listed Leas Pavilion and the Folkestone Conservation Area, and result in minor enhancement to the significance of the nearby Grade II* listed Leas Lift through an enhancement of its group value with the Leas Pavilion.

- 5.34 The Heritage Statement concludes that the Proposed Development is found to preserve and enhance the significance of the Grade II listed Leas Pavilion and the Folkestone Conservation Area. As a result of this, the Heritage Statement states that the Proposed Development would fall outside of the remit of Paragraphs 194 to 196 of the NPPF, and as such, there would be preservation for the purposes of the duty maker's decision under Sections 16, 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990. The supporting Heritage Statement assesses the impact on local heritage assets, including the Leas Pavilion itself, and clearly demonstrates that there would be no harm to the significance and setting of the Leas Pavilion, the Folkestone Conservation Area and Grade II* Leas Lift. Therefore, the local planning authority are able to make a determination of the application in terms of the 'planning balance', and on this basis, the Proposed Development is considered to be acceptable. There are significant public benefits that will accrue as a result of the Proposed Development, which are detailed in the Summary and Conclusions Section of this Planning Statement, which clearly demonstrate that the public benefits of the Proposed Development substantially outweigh the disbenefits.
- 5.35 The Proposed Development would be in accordance with Core Strategy Policy SS3, as its high quality design would contribute to local place-shaping and respecting and enhancing key historic features, namely the listed Leas Pavilion and the Folkestone Conservation Area. As detailed in 'Design' assessment above, the height, scale, form and materials of the Proposed Development would respect the character of the conservation areas, in accordance with LPR Policy BE4. The Proposed Development would be in accordance with LPR Policy BE5 and PPLP Policy HE1 as it would enhance the special architectural and historic features of the Leas Pavilion through sensitive restoration, and would not only retain this at risk and underutilised heritage asset, it would improve the public accessibility to the building. It is noted that Policy BE5 recognises the high costs involved in the repair and maintenance of listed buildings. There would be no harm or detrimental impact on local heritage assets, therefore the Proposed Development would be in accordance with the NPPF, Core Strategy Policy SS3, LPR Policies BE4 and BE5, and emerging PPLP Policy HE1. The supporting Heritage Statement, prepared by the Heritage Collective, provides further justification for the Proposed Development in terms of the preservation and enhancement of the local heritage assets.
- 5.36 Emerging PPLP Policy HE2 (Archaeology) states that proposals for new development must include an appropriate description of the significance of any heritage assets that may be affected, including the contribution of their setting. The impact of the development proposals on the significance of the heritage assets should be sufficiently assessed using appropriate expertise where necessary. Desk-based assessment, archaeological field evaluation and/or historic building assessment may be required as appropriate to the case.

- 5.37 An Archaeological Desk Based Assessment, prepared by Canterbury Archaeological Trust, has been submitted in support of the application. The report provides an appraisal focussed on the Historic Environment Record, map regression, aerial photographs and existing site records analysis, with provisional historical contextualisation. The report concludes that on the basis of previous work within the proposed development areas and nearby, archaeological remains of significance might be extant within the proposed development areas. In order to mitigate potential impacts on the archaeological record, an archaeological field evaluation, in liaison with the Local Authority Archaeologist, is recommended. This report therefore meets the requirements of emerging PPLP Policy HE2.

vii) Relationship to neighbours

- 5.38 Emerging PPLP Policy HB1 (Quality Places Through Design) seeks to ensure that development does not lead to an adverse impact on the amenity of future occupiers, neighbours, or the surrounding area, taking account of loss of privacy, loss of light and poor outlook. In assessing the potential impacts of new build residential development on neighbouring dwellings, the Council will apply the same guidelines as for alterations and extensions set out in Policy HB8 (Alterations and Extensions to Residential Buildings).
- 5.39 The Proposed Development seeks to optimise the potential of the Site, while considering the relationship with neighbours in terms of daylight and sunlight, outlook and privacy. The design, scale and massing of the Proposed Development has been carefully considered so as to minimise impacts on those residential dwellings surrounding the Site to the west, north and east.

Daylight and Sunlight

- 5.40 A Daylight and Sunlight Assessment, prepared by Herrington, has been submitted in support of the application. In terms of daylight, the assessment has assessed the impact on properties at Prior Leas; Nos.4, 6 & 8 Longford Terrace; Nos. 93, 95, 97, 99 & 101 Sandgate Road; and at White Cliffs. The Proposed Development has been valuated against the criteria set out in Building Research Establishment (BRE) Guidelines for the 'sensitive receptors' or windows serving habitable rooms at the neighbouring properties detailed above. For many of these properties, it has been possible to obtain information on room use and layout, which has allowed the more detailed Average Daylight Factor (ADF) tests to be applied. The results of this analysis have shown that whilst many rooms will be subject to a noticeable change in daylighting, the retained levels meet or exceed the standards set out in the BRE Guidelines and the British Standards.

- 5.41 This is an important consideration as the majority of neighbouring properties currently benefit from a very high Vertical Sky Component (VSC) value as a consequence of looking out over an uncharacteristically low-rise area in which the development is to be located. Therefore, any new development is likely to cause reductions in daylighting to their windows and rooms. However, when assessing the retained daylighting levels using either the ADF values or the alternative VSC targets recommended by the BRE Guidelines, it is shown that the windows and habitable rooms affected will be left with a reasonable and acceptable amount of daylight.
- 5.42 In terms of sunlight, the assessment has again assessed the impact on properties at Prior Leas; Nos.4, 6 & 8 Longford Terrace; Nos. 93, 95, 97, 99 & 101 Sandgate Road; and Whitecliffs. The Annual Probable Sunlight Hours (APSH) assessment results show that there is some reduction in the amount of annual and winter sunlight hours received by neighbouring windows as a result of the Proposed Development. However, the majority of windows showing reductions are serving rooms on more than one elevation, therefore a 'room total' value can be taken, which is an acknowledged approach in the BRE Guidelines, as it facilitates a greater understanding of the sunlight received within one room by taking into account the fact that some windows will receive sunlight at different times of day.
- 5.43 Once a room total has been taken for the windows experiencing impacts it can be seen that 89% of rooms pass at least one of the three sunlight tests. Therefore, it is possible to conclude that the Proposed Development will have a negligible impact to the vast majority of the rooms surrounding the Site in terms of sunlight. There are 5 rooms at No. 4 Longford Terrace which do not pass the BRE Criteria. However, as per the daylight tests, when the current open aspect view is considered, a degree of flexibility needs to be taken when analysing the results. The magnitude of change would not be significant had there been an existing building where the massing was more in fitting with its surroundings, as they were prior to the demolition of the hotels on the Site. In addition, it should be noted that all rooms experiencing adverse impacts are either basement rooms or bedrooms where the expectation for sunlight is generally lower. The Daylight and Sunlight Assessment also concludes that there would be no potential for adverse impacts from overshadowing of neighbouring amenity areas as a result of the Proposed Development.

Privacy and Outlook

- 5.44 The neighbouring building to the east is the Priors Leas building, which has a number of side-facing windows which overlook the Site. It appears that the windows affected by the Proposed Development either serve a bedroom, non-habitable rooms, or a secondary window to a living room/kitchen. There should be no requirement to preserve the privacy of windows to non-habitable rooms or secondary windows to a room. The projecting bedroom windows may

potentially experience a loss of privacy, as they are located directly opposite habitable rooms and balconies, however it is not considered reasonable to withhold planning permission for a loss of privacy across a public street. The impact on the privacy is not considered to be any worse than the impact of privacy that may have occurred if the previous substantial hotel building was still on site.

- 5.45 As per the daylight and sunlight findings, the Prior Leas should not rely on the underdeveloped nature of a 'vacant' site, where previously significant buildings were located, for their outlook. While this neighbour may experience a sense of enclosure, the units affected appear to be orientated north to south, therefore the loss of outlook of these neighbours is not considered to be unreasonable.
- 5.46 The rear part of the 'western wing' of the Proposed Building is considered to be sufficient distance away from the properties in Longford Terrace to prevent any loss of privacy to these neighbours. There are no directly facing windows except secondary bedroom windows, which could be conditioned to be finished in obscured glazing. There may be some loss of outlook for these neighbours at Longford Terrace, particularly those at ground and basement floor levels, however the overall impact on these neighbour should not be unduly detrimental, as it is generally bedrooms, staircases and bathrooms that are affected.
- 5.47 The majority of the Proposed Building would be set back far enough from the majority of the rear windows of the properties at Nos. 93 to 101 Sandgate Road, and again it is not considered reasonable to preserve the privacy of this neighbour across a public street. These neighbours may experience a sense of enclosure, particularly those that extend up to the frontage of Longford Way, however the impact of the Proposed Development is not considered to be significant enough to sustain a refusal of planning permission.
- 5.48 The neighbouring building to the west is the White Cliffs building, with 3 neighbouring properties on the opposite side of Cheriton Place, which has 4 small side-facing windows and wrap-around balconies, which overlook the Site. It appears that the windows affected by the Proposed Development either serve non-habitable rooms (bathrooms or hallway), or a secondary window to a living room/kitchen. There should be no requirement to preserve the privacy of windows to non-habitable rooms or secondary windows to a room. There may be potential for mutual overlooking between these neighbours' balconies, and the balconies of the Proposed Development. Therefore, it is considered that there would no undue loss of privacy for these neighbour at the White Cliffs building.
- 5.49 As per the daylight and sunlight findings, the White Cliffs buildings should not rely on the underdeveloped nature of a 'vacant' site, where previously significant buildings were located,

for their outlook. While this neighbour may experience a slight sense of enclosure, the units affected appear to be orientated north to south, therefore the loss of outlook of these neighbours is not considered to be unreasonable.

- 5.50 The Proposed Development would not unduly harm amenity of existing surrounding residents, including their outside amenity spaces. While a few surrounding neighbours may experience a sense of enclosure, none of the surrounding neighbours would experience any undue loss of daylight and sunlight, nor would they be unduly overshadowed. The surrounding neighbours may experience some potential loss of privacy, however, this loss of privacy is not considered to be significantly worse than the loss of privacy that may have been experienced were the former large hotel buildings to still be on site, and it is not considered to be reasonable to preserve the privacy of properties on the opposite sides of a public street. In summary, there may be some neighbours that experience a potential loss of residential amenity, however it is not considered that these impacts would be significant enough to sustain a refusal, and the benefits of the Proposed Development would substantially outweigh the disbenefits. Therefore, in terms of loss of privacy, loss of light and poor outlook, the Proposed Development is considered to be generally in accordance with emerging PPLP Policy HB1.

viii) Affordable Housing

- 5.51 The adopted 2013 Core Strategy Policy CSD1 (Balanced Neighbourhoods) requires development to contribute to the creation of balanced neighbourhoods through high-quality design proposals which address identified affordable housing needs. Through the 2013 version of Policy CSD1, the Council will seek an affordable housing minimum of 30% on site, subject to viability, with a tenure split of 40% of affordable housing provision to be in a shared equity/intermediate forms and 60% affordable/social rent. The emerging 2020 Core Strategy Policy CSD1 (Balanced Neighbourhoods) requires development to contribute to the creation of balanced neighbourhoods through high-quality design proposals which address identified affordable housing needs. Through the 2020 version of Policy CSD1, the Council will seek an affordable housing minimum of 22% on site, subject to viability, with a tenure split of 30% of affordable housing provision to be in a shared equity/intermediate forms and 70% affordable/social rent. It is understood that during the negotiations between the Council and Churchgate as part of the previous 2015 planning permission, Churchgate sold 5 affordable housing units to FHDC at No. 4 Longford Terrace.
- 5.52 National and local affordable housing policy support the delivery of the maximum reasonable amount of affordable housing that can be viably delivered, alongside other forms of planning gain and local CIL. The policy intent however also seeks to encourage rather than restrain delivery, so development proposals must remain commercially viable. National Planning

Practice Guidance (PPG) (Paragraph: 012 Reference ID: 10-012-20180724) states that the abnormal costs associated with works to a listed building should be taken into account in any viability assessment and decision making. The PPG (Paragraph: 014 Reference ID: 18a-014-20190723) also allows for the deteriorated state of a heritage asset be taken into account in reaching a decision on an application, and the disrepair and damage to the building, and their impact on viability, are a material consideration in deciding an application.

- 5.53 The purpose of Strutt and Parker's Financial Viability Assessment (FVA) is to robustly test the maximum reasonable amount of affordable housing and other financial obligations that the Proposed Development can viably support. The Financial Viability Assessment is an objective and impartial view on the development viability of the Proposed Development using professional judgement. Strutt and Parkers FVA concludes that the Proposed Development is not capable of providing any affordable housing, and may have limited ability to provide other financial obligations. This is mainly due to the important and significant investment that is being made in the restoration of the Grade II listed Leas Pavilion, which is in a critical state of disrepair. The Proposed Development represents the last opportunity to 'save' and restore the Leas Pavilion to its former glory, especially after the site was left undeveloped for 10 years, resulting in its current derelict state. The significant abnormal costs involved in restoring the Leas Pavilion are the primary reason for no affordable housing coming forward on the site, and in accordance with the NPPF and PPG, should be factored into the decision making on the application. The submitted FVA will be independently reviewed on behalf of FHDC to verify these conclusions.
- 5.54 The matter of affordable housing is to be discussed further with FHDC in terms of the above context, and ensuring viable delivery under the National Planning Policy Framework, Planning Practice Guidance on Viability, and Core Strategy Policy CSD1.

ix) Housing Quality

- 5.55 Emerging PPLP Policy HB3 (Internal and External Space Standards) requires new build residential development to meet the nationally described technical housing space standard, including minimum floor-to-ceiling heights, and to provides an area of private open space for each new flat in the form of a private usable balcony area with a minimum depth of 1.5m, as long as this does not reduce the privacy of neighbouring dwellings. Emerging PPLP Policy HB1 (Quality Places Through Design) seeks to ensure that development does not lead to an adverse impact on the amenity of future occupiers, taking account of loss of privacy, loss of light and poor outlook.

- 5.56 The Proposed Development would meet the nationally described space standards for unit sizes, and in most cases would comfortably exceed these minimum spaces standards. All of the proposed units in the development would also have access to a private balcony that has a depth of at least 1.5m. Given the floor to ceiling glazing and the disposition of the Proposed Development in relation to surrounding habitable rooms, which are generally located on the opposite side of the street, the proposed units would have excellent levels of daylight and outlook, and would not experience any undue loss of privacy. There will be no north-facing single-aspect units. The majority of the units are dual or triple aspect, and given the overly large size of the units, it is considered that the proposed residential units would provide an excellent quality of residential accommodation and amenity for future occupiers, therefore the Proposed Development is considered to be in accordance with Emerging PPLP Policies HB1 and HB3.

x) Unit Mix

- 5.57 The NPPF (Paragraphs 59 to 66) encourages new residential developments to provide a choice of housing with a mix of family and non-family housing that is needed to meet different community requirements.
- 5.58 The 2013 Core Strategy Policy CSD2 (District Residential Needs) states that housing supply will be managed with an objective that at least half of new homes by 2026 will be three bedroom (or larger) dwellings. Development should maintain the vitality and mix of activity in the local economy and neighbourhoods, or alternatively accommodation should directly contribute to meeting the long-term flexible living or care requirements of residents.
- 5.59 The 2020 Core Strategy Policy CSD2 (District Residential Needs) requires residential development to manage demographic and labour market changes and meet the specific requirements of vulnerable or excluded groups. Within developments of 15 or more dwellings (net gain), where viable and practical, a range of housing tenures should be provided including owner-occupied and private rented and affordable housing in accordance with Policy CSD1. Policy CSD2 states further that the Council's Strategic Housing Market Assessment (SHMA) will be used as a starting point for determining the mix of tenures, and a range of sizes of new dwellings should be provided. As a starting point, this range should reflect the mix identified in the SHMA as follows:

Table 7: SHMA Mix

Tenure	One bedroom	Two to Three bedroom	Four bedroom+
Owner-occupied/ private rent	5-20%	65-70%	15-30%
Affordable tenures (shared ownership/ affordable rent/ social rent)	20-25%	50-60%	20-25%

- 5.60 The residential floorspace of the scheme will comprise of 91 units. The proposed mix of residential units is as follows:

Table 8: Proposed Residential Mix

Unit Type	1 Bedroom (2 person)	2 Bedroom (4 person)	3 Bedroom (5 person)	3 Bedroom (6 person)
Total (91 units)	16	65	7	3

- 5.61 The Proposed Development does not strictly accord with the tenures highlighted in the SHMA, therefore it would be difficult and unreasonable to achieve this suggested mix. It is noted however that Core Strategy Policy CSD2 suggest the SHMA mix as a starting point and not an absolute requirement, and allows for flexibility by stating that a range of sizes of new dwellings should be provided. The Proposed Development therefore provides a good mix of unit sizes that would be appropriate to the type of development proposed, and the Site's location, and would generally be in accordance with the NPPF and Core Strategy Policy CSD2.

xi) Accessibility

- 5.62 LPR Policy BE1 (Building design, layout and special needs access) requires planning applications for development with an element of public use will be assessed as to their provision for access for disabled persons in respect of site layout and the relationship between buildings and their car parking areas and other public access points. The Proposed Development provides some public use within the Leas Pavilion, and it would be in accordance with LPR Policy BE1, as it would make the Leas Pavilion fully accessible to people with disabilities for the first time, which is considered to be a significant public benefit.
- 5.63 Emerging PPLP Policy HB3 (Internal and External Space Standards) seeks that a minimum of 20% of homes on major new build developments will meet the accessibility and adaptable Building Regulation M4(2) Adaptable Homes standards, with an aspiration that all dwellings

meet these standards. The Proposed Development would meet this requirement of PLLP Policy HB3.

xii) Transport

5.64 Chapter 9 of the NPPF covers 'Promoting Sustainable Transport' and sets out the Government's national transport policy, including that when considering development proposals, Paragraph 108 notes that in assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- Appropriate opportunities to promote sustainable transport modes can be – or have been taken up, given the type of development and its location;
- Safe and suitable access to the site can be achieved for all users; and
- Any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

5.65 LPR Policy TR11 (Access to the Highway Network) states that proposals which involve the formation of a new access, or would result in the intensification of the use of an existing access, will only be permitted where the access is not detrimental to the safety of vehicle traffic, cyclists and pedestrians; or the access can alternatively be improved to a standard acceptable to the Highway Authority; or the applicant can demonstrate by means of a transport impact study that the proposal would not increase the risk of accidents or create delays. LPR Policy TR12 (Car Parking) states that new development, redevelopment or a change of use will only be permitted if it makes provision for off street parking on or near the site in accordance with the current maximum vehicle parking standards, as set out in Appendix 6 of the LPR. These standards may be varied where the location is well served by public transport and there would be no adverse effect on road safety or traffic management; this would allow development which would preserve or enhance the character or appearance of a conservation area, or assist the re-use of a building of architectural or historic interest; and a commuted sum payment is made for improvements to or measures to assist the use of public transport, cycling or walking.

5.66 Emerging PPLP Policy T2 (Parking Standards) states that for residential parking, planning permission will be granted for schemes providing residential parking where the resident and visitor parking is sufficient and well-integrated so that it does not dominate the street. The Council will use the standards in Table 13.1 of the PPLP (Table 9 below) as a starting point. Proposals for development within areas with a history of on-street parking problems, including town centre areas, will need to demonstrate through a parking survey that appropriate parking

provision is available or can be provided. This document requires the following 'maximum' standards of parking, shown in the table below, to be adhered to in Folkestone. However, within their pre-application response KCC Highways stated that:

"With regard to the car parking allocation, the site falls within the Town Centre clarification in IGN 3 Parking Guidance (the same within FHDC Places and Policies document). As such parking standards are maximum and a lesser provision than 1 space per apartment is acceptable".

Table 9: KCC IGN 3 Vehicle Parking Standards (Edge of Centre)

Dwelling Type	Parking Standard
1 & 2 Bed Flats	1 Space per Unit (unallocated)
1 & 2 Bed Houses	1 Space per Unit (allocation possible)
3 Bed Houses	1 Space per Unit (allocation possible)
4+ Bed Houses	1.5 Spaces per Unit (allocation possible)
Additional Visitor Spaces	0.2 Per Unit

- 5.67 Emerging PPLP Policy T5 (Cycle Parking) states that planning permission will be granted for residential development subject to the provision of cycle parking at the following quanta of 1 space per bedroom for individual residential developments. The cycle should be provided either within the curtilage of a residential dwelling or in a secure communal facility, where a suitable alternative is not available.

Table 10: KCC Cycle Parking Standards – SPG4 (July 2006)

Dwelling Type	Cycle Parking Standard
Individual Residential Dwellings	1 Space per Bedroom
Flats & Maisonettes	1 Space per Unit
Sheltered Accommodation	1 Space per 5 Units

- 5.68 The Site benefits from being on the edge of Folkestone's town centre. It is evident that due to the location of the Site, and the existing sustainable transport network and facilities, this would allow for a real alternative to residents using private cars. The Proposed Development would provide 39 car parking spaces within two separate parking areas provided at half-basement level, accessed from Longford Terrace and Longford Way. Electric vehicle charging points will be provided in all parking spaces. 91 cycle storage spaces will be provided in the basement, with one locker per flat.

- 5.69 In terms of the loss of the existing private car parks, at the scoping stage, KCC Highways did not require a parking survey for the existing private car parks on site. However, to better inform FHDC officers and members, and with regards to comments noted at the public consultation, a parking survey was undertaken. This survey was done on Saturday 14th March 2020. Whilst there is some usage of these car parks, the number of vehicles, circa 24 vehicles at most, will be easily subsumed into other nearby provision. In addition to plentiful on-street parking on the Leas there are public car parks at Pleydell Gardens (150m distance, 43 spaces), and Sandgate Road (400m distance, 176 spaces)². Both of these car parks are FHDC run. Therefore, the loss of the existing private car parks would not be significant issues, and would not be contrary to KCC Guidance or FHDC's Development Plan.
- 5.70 The proposed car parking has been provided in accordance with KCC Interim Guidance Note 3: Residential Parking (2008), and the town centre location standards in the FHDC Local Plan, which is a maximum standard. Whilst in theory a zero-provision can be advocated, a working minimum of approximately 0.5 provides the appropriate balance between promoting sustainability and providing a suitable level of car parking. In addition a cross-tabulation of census data for private flats and car ownership has been referenced from the 2011 Census; which confirms an ownership of 0.49 cars per dwelling (all private flats). This provides evidence that the working minimum provision of parking is robust. This level of parking reflects that was agreed with KCC Highways at pre-application stage. KCC stated that as the site falls within the Town Centre clarification in IGN 3 Parking Guidance (the same within FHDC Places and Policies document), a lesser provision than 1 space per apartment is acceptable, therefore the proposed development is in accordance with KCC IGN 3 parking guidance, and LPR Policy TR12 and emerging PPLP Policy T2.
- 5.71 Refuse collection will be on-street using the 'square' of local streets around the site. It has been confirmed with FHDC that a refuse freighter will fit under the 14'6" height restriction on Longford Way. Refuse bin stores would be provided adjacent to the car parking areas at half-basement level.
- 5.72 The application is supported by a Transport Statement, prepared by Stantec, which concludes that the Proposed Development should not result in any adverse unacceptable impacts in terms of highway amenity, capacity and safety, and that an appropriate number of parking spaces would be provided for this type of development in this location. The approach to transport matters, including the sustainable level of parking provided, was supported by KCC Highways at pre-application stage. Therefore, the Proposed Development is considered to be in accordance with the NPPF, LPR Policies TR11 and TR12, and emerging PPLP Policies T2 and T5.

xiii) Climate Change

- 5.73 Core Strategy Policy SS3 (Place-Shaping and Sustainable Settlements Strategy) states that proposals should be designed to contribute to local place-shaping and sustainable development through appropriate sustainable construction measures, including water efficiency and a proportion of energy from renewable and low carbon sources on new-build development.
- 5.74 Emerging PPLP Policy CC1 (Reducing Carbon Emissions) states that planning applications for all major new build housing developments, and new non-residential buildings of 1,000sqm or more gross floorspace, will be required to reduce carbon emissions by a minimum of 10 per cent above the Target Emission Rate, as defined in the Building Regulations for England approved document L1A: Conservation of Fuel and Power in Dwellings. This should be through the use of on-site renewable and low-carbon energy technologies which could include an integrated system or site-wide solution involving the installation of a system that is not integrated within the new building.
- 5.75 Emerging PPLP Policy CC2 (Sustainable Design and Construction) states that proposals for all new dwellings or for new non-domestic buildings will be permitted where:
- For non-residential development, the development achieves BREEAM 'Very Good';
 - The development minimises energy demand through passive design and layout and landscape mitigation measures with an aspiration for new major residential developments to achieve zero carbon homes; and
 - The development provides discretely designed and accessible storage for waste, recycling and composting.
- 5.76 An Energy Strategy, prepared by Quinn Ross, has been submitted in support of the application. The Energy Strategy reviews the energy and sustainability targets within Building Regulations Part L1A, Building Regulations Part L2B, EPC, Shepway Core Strategy Local Plan, and the FHDC Core Strategy 2020. The Energy Strategy then highlights the energy reduction methods that will be required, using the London Plan's Energy Hierarchy of 'Be Lean', 'Be Clean' and 'Be Green', including how the building form would be efficient as possible, exploring heating options such as a district heating or Combined Heat and Power (CHP), and low or zero carbon technologies such as high efficiency heat pumps. The whole development, including the new build and refurbished Leas Pavilion, is then analysed in terms of their energy use and CO2 emissions through thermal and energy modelling. The predicted tonnes of CO2 and savings are then detailed, with a cumulative CO2 saving of 49% over current Building Regulations and Baseline targets.

5.77 The Proposed Development would meet the requirements of Core Strategy Policy SS3 and emerging PPLP Policy CC2, as it would use sustainable construction measures and obtain a proportion of energy from renewable and low carbon sources. The Proposed Development would exceed the 10% target of CO2 savings in Emerging PPLP Policy CC1, by saving a cumulative CO2 saving of 49% over current Building Regulations and Baseline targets. Therefore, the Proposed Development would be in accordance with Core Strategy Policy SS3, and emerging PPLP Policies CC1 and CC2 in terms of energy usage.

xiv) Water and Drainage

5.78 LPR Policy U2 (Sewerage and Waste Water Disposal) states that planning permission for housing developments of five or more dwellings, and other forms of development generating a similar flow of effluent, will be refused unless connection is made to the nearest available mains drainage system with capacity to serve the development or details are submitted which show how the development will be connected to a mains drainage system.

5.79 Core Strategy Policy CSD5 (Water and Coastal Environmental Management) states that development will be permitted where the following criteria are met:

- All developments should incorporate water efficiency measures appropriate to the scale and nature of the use proposed. Planning applications for the construction of new dwellings should include specific design features and demonstrate a maximum level of usage to meet the higher water efficiency standard under Regulation 36(3) of the Building Regulations to achieve a maximum use of 110 litres per person per day (including external water use). Proposals should demonstrate that water efficiency and water re-use measures have been maximised and should seek to significantly exceed this standard;
- For non-residential development, the development achieves BREEAM 'outstanding' standard addressing maximum water efficiencies under the mandatory water credits, where technically feasible and viable; and
- New buildings and dwellings must be delivered in line with wastewater capacity, and designed so as to ensure that peak rate of surface water runoff from the site is not increased above the existing surface water runoff rate, incorporating appropriate sustainable drainage systems (SuDS) and water management features, with full consideration given to integration of water management. The quality of water passed on to watercourses and the sea must be maintained or improved, and flood risk must not be increased by developments within the district.

5.80 Emerging PPLP Policy CC2 (Sustainable Design and Construction) states that proposals for all new dwellings or for new non-domestic buildings will be permitted where:

- All new build housing is built to the higher water efficiency standard under Regulation 36(3) of the Building Regulations so as to achieve a maximum use of 110 litres per person per day including external water use where technically feasible and viable. Proposals should demonstrate that water efficiency and water re-use measures have been maximised;
- For non-residential development, the development achieves BREEAM 'Very Good' standard including addressing maximum water efficiencies under the mandatory water credits, where technically feasible and viable;
- The development is accessible to all and is designed to be flexible towards future adaptation in response to changing life needs; and
- The development includes measures to adapt to climate change, such as the provision of green infrastructure, sustainable drainage systems (SuDS) in accordance with Policy CC3, suitable shading of pedestrian routes and open spaces and drought resistant landscaping.

5.81 Emerging PPLP Policy CC3 (Sustainable Drainage Systems (SuDS)) states that development will be permitted where:

- Surface water is managed close to its source and on the surface where reasonably practicable to do so;
- Priority is given to the use of 'ecosystem services' as defined in the National Planning Policy Framework;
- Water is seen as a resource and is reused where practicable, offsetting potable water demand, and that a water sensitive approach is taken to the design of the development;
- The features that manage surface water are commensurate with the design of the development in terms of size, form and materials and make an active contribution to place-making;
- Surface water management features are multi-functional wherever possible in their land use;
- There is no discharge from the developed site for rainfall depths up to 5mm of any rainfall event;
- The run-off from all hard surfaces receives an appropriate level of treatment in accordance with Sustainable Drainage Systems guidelines, SuDS Manual (CIRIA C753), to minimise the risk of pollution;

- Major development accords with Kent County Council's Drainage and Planning Policy Statement 2017 or successor document;
- Development adjacent to a water body actively seeks to enhance the water body in terms of its hydromorphology, biodiversity potential and setting; and
- All hard surfaces are permeable surfaces where reasonably practicable.

5.82 The Proposed Development would connect with the nearest available mains drainage system in accordance with LRP Policy U2, and would incorporate water efficiency measures appropriate to meet Regulation 36(3) of the Building Regulations to achieve a maximum use of 110 litres per person per day (including external water use). The Proposed Development would incorporate sustainable drainage systems (SuDS), including permeable surfaces and areas of planting, which would result in a 'betterment' compared to the existing situation in terms of run-off, and surface water will discharge into the existing public surface water network at a reduced rate. Therefore, the Proposed Development would not lead to an increased discharge of surface water drainage from the Site, and on this basis the Proposed Development accords with LPR Policy U2, Core Strategy Policy CSD5, and emerging PPLP Policies CC2 and CC3.

xv) Other Matters

- 5.83 In applying LPR Policy LR9 (Protection and Provision of Open Space) for residential development within areas where an open space deficiency exists or will be created, the Council will seek that sites of 25 or more dwellings should provide open space to the standard of 2.43 hectares per 1,000 population. Where full provision on site would not be appropriate or desirable the space needed may be met by a commuted sum payment towards the provision or improvement of open space nearby on a scale related to the size and scale of the development.
- 5.84 Emerging PPLP Policy C3 (Provision of Open Space) states that to meet the additional need in open space generated by new residential developments the Council will require proposals of 20 or more dwellings to provide for open space in accordance with the standards 2.89 hectares per 1,000 head of population. Where full provision on-site would not be appropriate or desirable, the space needed may be met by commuted sum payment towards the provision or improvement of open space nearby on a scale related to the size and scale of the development.
- 5.85 The 'provision of open space' is to be discussed further with FHDC in terms of in the context of ensuring viable delivery under the National Planning Policy Framework, Planning Practice Guidance on Viability, and LPR Policy LR9 and emerging PPLP Policy C3.

6.0 SUMMARY AND CONCLUSIONS

i) Planning Benefits

- 6.1 The Proposed Development will deliver a number of planning benefits that will positively contribute towards the local area. In accordance with the core objectives of the NPPF, the Proposed Development will deliver the following economic, social and environmental benefits:

Economic Benefits

- 209 direct and 203 indirect jobs are expected to be generated during the construction phase;
- A number of jobs expected to be generated during the operational phase through concierge and cleaning services;
- Benefit of new residents' expenditure to the local economy of £4.4m per annum;
- Retail and leisure expenditure of £2.1m per annum;
- Council tax of £225,000 per annum; and
- A New Homes Bonus of £159,000.

Social Benefits

- The 'saving', restoration and securing a sustainable future for the derelict Grade II listed Leas Pavilion;
- Providing public access to the long vacant Leas Pavilion;
- Providing access for people with disabilities to the Leas Pavilion for the first time; and
- Provision of 10 (11%) "family-sized" homes (including 3-bedroom 6-person units).

Environmental Benefits

- Provision of diverse planting scheme to improve biodiversity; and
- Improved surface water management and drainage strategy.

- 6.2 The above economic, social, and environmental benefits are a significant public benefit that weighs heavily in favour of the Proposed Development, and should be considered a material planning consideration in the determination of this planning application, in accordance with the objectives of the NPPF, and the adopted and emerging FHDC Development Plans.

ii) Conclusion

- 6.3 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, the application should be determined in accordance with the Development Plan unless material

considerations indicate otherwise. Other material considerations include the National Planning Policy Framework (NPPF) 2019.

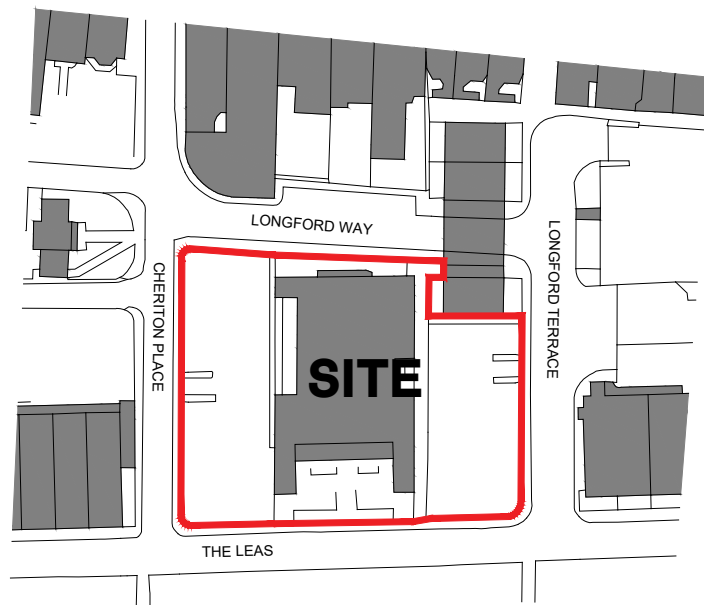
- 6.4 The Development Plan comprises the NPPF, the Shepway District Local Plan Review (2013 onwards), FHDC Core Strategy (2013 and 2020), and the emerging Places and Policies Local Plan (2018 and 2020). Having regard to the adopted Local Plan, the Site is on “white land” and is not allocated or protected for any particular land use.
- 6.5 The principle of the restoration of the Leas Pavilion and the construction of a surrounding enabling residential development has been established by the previous planning permission and listed building consent. Notwithstanding this precedent, the Site is located within the defined settlement boundary of Folkestone, where the residential development of previously developed sites, or infill residential development, is supported. The Proposed Development would make efficient use of the land, and deliver sustainable development alongside much need housing, therefore the principle of development is acceptable.
- 6.6 In developing the proposals, the Applicant has undertaken a programme of pre-application discussions with FHDC. This has been supplemented by consultation with local councillors, and local community and interest groups. This exercise has also included a full day public consultation, that included tours of the Leas Pavilion building, with the aim being to narrow the potential issues at pre-application stage to achieve a high-quality development that responds positively to the constraints and opportunities of the Site, and to achieve sustainable development.
- 6.7 The Proposed Development would deliver 91 new homes, and 11% of the units will be “family-sized” homes. This is consistent with the objectives of the FHDC Development Plan, which seek to deliver a wider choice of housing sizes and types.
- 6.8 The Proposed Development would deliver a high quality development that would make a positive contribution to the local streetscape and wider townscape, and would incorporate the highest quality materials and design appropriate to its context. The new building would enhance the local context, and respond to the character of this part of Folkestone, and ultimately would represent a high quality and standard of design. The Proposed Development has recognised its context and responded through its design, height and massing, to reflect elements of prominent and historic buildings in the area. The Proposed Development responds meaningfully and sensitively to the Site, its characteristics and constraints, and the layout, grain, massing and height of surrounding buildings.

- 6.9 The Proposed Development would contribute to local place-shaping and respect and enhance local heritage assets, including the Grade II listed Leas Pavilion, the Folkestone Conservation Area, the Grade II* listed Leas Lift and potential archaeology. In particular, the Proposed Development would enhance the special architectural and historic features of the Leas Pavilion through sensitive restoration, and would not only retain this at risk and underutilised heritage asset, it would improve the public accessibility to the building. The sensitive restoration of the Leas Pavilion has long been an aspiration of FHDC, Historic England and the Friends of the Leas Pavilion and the Proposed Development would enable this, resulting in a significant public benefit. The Proposed Development represents the last opportunity to 'save' and restore the Leas Pavilion to its former glory, especially after the site was left undeveloped for 10 years, resulting in its current derelict state. The significant abnormal costs involved in restoring the Leas Pavilion are the primary reason for no affordable housing coming forward on the site, and in accordance with the NPPF and PPG, should be factored into the decision making on the application.
- 6.10 The Proposed Development would not unduly harm the amenity of existing surrounding residents in terms of impact on daylight and sunlight, and loss of privacy and outlook, while providing high quality residential accommodation for future occupiers of the building.
- 6.11 The Proposed Development would not result in any unacceptable adverse impacts in terms of highway amenity, capacity and safety, and an appropriate and sustainable number of parking spaces would be provided for this type of development in this location.
- 6.12 The Proposed Development would meet the requirements of climate change, as it would use sustainable construction measures and obtain a proportion of energy from renewable and low carbon sources. The Proposed Development would comfortably exceed the 10% target of emerging planning policy by saving a cumulative CO2 saving of 49% over current Building Regulations and Baseline targets.
- 6.13 It is considered that the Proposed Development represents a policy compliant scheme with a high-quality architectural design. The Proposed Development restores and secures a sustainable future for the Grade II listed Leas Pavilion, in addition to providing 91 new residential units, thus contributing to strategic FHDC housing targets.
- 6.14 The Proposed Development has been thoroughly considered against the requirements of national and local planning policy, and it has been demonstrated that the proposals accord with the adopted and emerging Development Plans and national Planning Practice Guidance. In the context of the NPPF, the Proposed Development represents a sustainable form of

development and should be approved without delay, in accordance with Paragraph 11 of the NPPF.

APPENDIX 1

SITE LOCATION PLAN



Hollaway

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Project | THE LEAS PAVILION
THE LEAS PAVILION, THE LEAS, FOLKESTONE

Client | GUSTAVIA LTD.

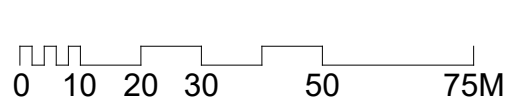
Title | SITE LOCATION PLAN

Status | **PLANNING**

Scale | A4 | 1:1250 **Date** | 13.02.20 **Drawn** | **Checked** |

Project Number Drawing Number Revision
19.098 001 ----

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APPENDIX 2

PLANNING AND LISTED BUILDING HISTORY

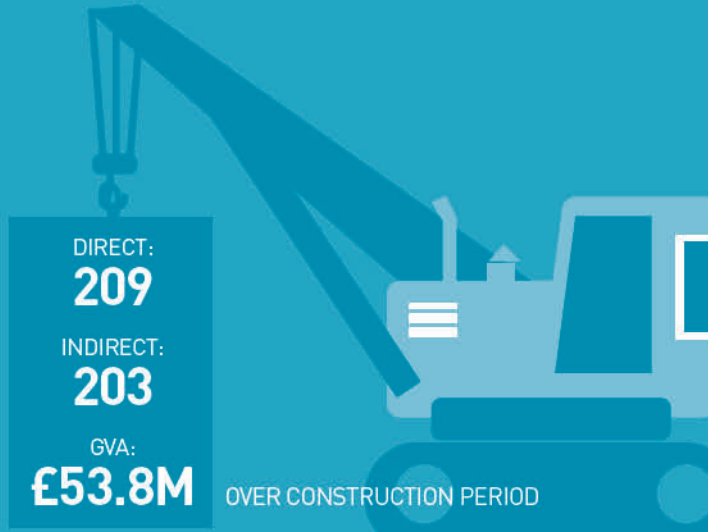
Planning and Listed Building History

Application Ref	Validated	Description	Decision
86/0193/SH	18.02.86	Change of use from theatre to leisure activity club with dance floor and bar, including snooker and billiards and café/restaurant.	Approved
94/0383/SH	31.05.94	Erection of 2 No. 5 storey blocks of 20 flats (total of 40 flats) over semi-basement garaging to replace the buildings on the Longford Terrace and Cheriton Place frontages and the formation of a roof garden and conservatory on top of the Leas Club.	Approved
94/0384/SH	31.05.94	Conservation area consent for demolition of the Hotel De France 1 – 4 Longford Terrace, 8 The Leas and 2 Cheriton Place, Folkestone.	Approved
Y05/1436/SH	28.10.05	Extension to existing car parks together with new boundary wall and pedestrian accesses.	Withdrawn
Y08/0799/SH	16.07.08	Felling of one sycamore tree situated within a conservation area.	No Objection
Y08/1212/SH	01.12.08	Change of use and conversion of Leas Club from a bar (Class A4) to a gymnasium/health club (Class D2) including alterations and refurbishment of the building together with the erection of a seven storey block of 68 residential apartments (5 full storeys, two recessed), parking, bicycle storage and 2 commercial units (Class A1/A3) to the ground floor and the construction of a basement parking level.	Approved
Y08/1213/SH	01.12.08	Listed building consent for internal and external alterations in connection with the change of use of the building to a gymnasium/health club (Class D2) and erection of apartment block.	Approved
Y19/0665/FH	20.06.19	Listed Building Consent for the removal of the existing canopy to frontage.	Pending
Y19/0870/FH	20.09.19	Listed Building Consent for dismantling associated structural works and re-construction of both front extensions, including the refurbishment of the existing shop fronts.	Pending

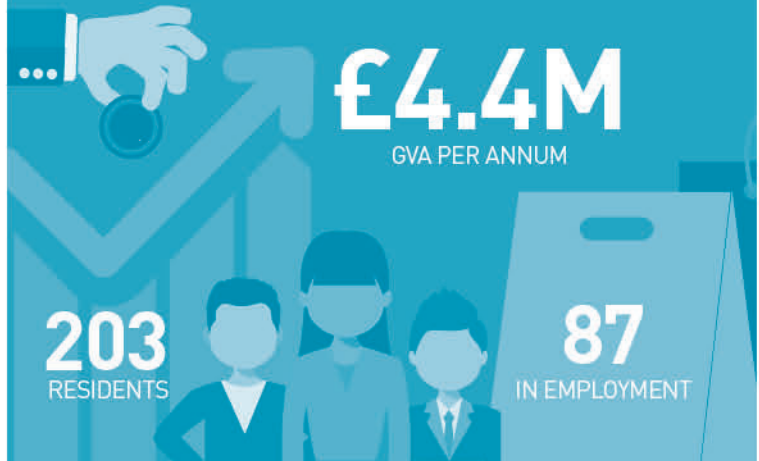
APPENDIX 3

ECONOMIC BENEFITS INFOGRAPHIC

CONSTRUCTION JOBS



ECONOMICALLY ACTIVE RESIDENT POPULATION & RESIDENT GVA



COUNCIL TAX

£225K
PER ANNUM

NEW HOMES BONUS

£159K
(OVER 1 YEAR)

RETAIL AND LEISURE EXPENDITURE

£2.1M
PER ANNUM

COMMUNITY SPACE

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