

Officer Report

Application No.	24/0149/FH
Site Address	The Southcliffe Hotel, 22- 26 The Leas, Folkestone, CT20 2DY
Officer Name	Katy Claw
Proposal	New roof finishes to front, top and side sections of main roof and replacement of dormer window surrounds.

Recommendation

Report Number	RD-434089
Recommended Decision	Recommended to be Refused
Recommendation Date	22 March 2024

Report

SITE

The Southcliffe Hotel, 22-26 The Leas, is a Grade II Listed Building and is located on the north side of the Leas, about midway between the war memorial and Clifton Crescent and just beyond the western corner the corner with Shakespeare Terrace.

The property was originally built as 5 townhouses in 1861 and was later converted into two separate hotels in the mid-1930s. In 1980 the two hotels merged into a single 68-bedroom hotel known as The Southcliffe Hotel.

The buildings are four storeys together with additional congregation at semi-basement level and attic accommodation within the roof space lit by pairs of dormers – a total of 6 storeys of accommodation.

The terrace of former houses is mostly uniform, with a white painted stuccoed frontage in the Italian classical style rising to a cornice parapet with behind and above this the roof formed as a mansard, punctuated by gabled (pedimented) dormers.

The terrace is conceived with the architectural character diminishing in richness the further up elevation one goes. The upper ground story is rusticated, with shallow projecting canted bay windows and the entrance doorways in pairs emphasised by projecting Tuscan open porches. A projecting balcony with blue painted decorative cast-iron balustrade extends along the full length of the terrace at first floor level, this this sheltered by a corrugated sheet metal canopy formed into an ogee shape and supported on slender iron poles. The second-floor windows are enriched by architraves with segmental pediment supported on brackets, with the third-floor windows rather plainer.

Although the terrace appears uniform, there is quite a wide variety within the terrace. The eastern 3 houses are all narrower fronted, each house 2 bays wide whereas nos. 25 and 26 are wider 3 bay properties with the mansard roof returning across the western end of the building at no.26.

Additionally, the canted bay windows extend in a stack right up the front of no.26, emphasising this as the end of the terrace and the original portico porches of nos.22-24, the former Hotel Ambassador have been removed, replaced by a larger projecting glazed entrance pavilion extending right across the front of no.23 to form an entrance and vestibule for the 3 Eastern houses. This is glazed in the Art Moderne style and was probably added to the 3 properties forming the Hotel Ambassador, in the 1930s. It remains the main entrance to the Southcliffe Hotel today.

The following constraints apply:

Within the settlement of Folkestone

Grade II Listed Building

Folkestone Leas & Bayle Conservation Area

Area of Archaeological Potential

RELEVANT HISTORY

SH/75/42 – provision of fire escape doors/stairs

Approved with conditions

SH/77/928 – erection of a single storey stage extension at the rear

Approved with conditions

82/0062/SH – Erection of extension to existing banquet room.

Approved

82/0063/SH – Listed Building Consent for alterations in connection with the erection of an extension to existing banquet room.

Approved

83/0846/SH – Listed Building Consent for removal of chimney stacks.

approved

83/1063/SH – Listed Building Consent for internal alterations.

Approved

83/1089/SH – Listed Building Consent for alterations

approved

83/1174/SH – demolition of existing covered basement areas alterations and erection of a two storey extension.

approved

83/1243/SH – Listed Building Consent for erection of a canopy.

approved

84/0340/SH – Listed Building Consent for alterations.

Approved

89/0820/SH – formation of car parking to serve the Southcliffe hotel with access from Shakespeare Terrace.

Approved with conditions

Y04/0430/SH – Construction of a new external staircase and reinstatement of railings together with other external and internal alterations.

Approved with conditions

Y04/0550/SH - Listed Building Consent for internal alterations to the basement, construction of a new external staircase and reinstatement of railings together with other external alterations.

Approved with conditions

Y08/0116/SH – erection of new railings, brick piers & ramp access to front elevation.

Approved with conditions

Y08/0117/SH – Listed Building Consent for erection of new railings, brick piers and ramp access to front elevation

Approved with conditions

24/0148/FH - Listed Building Consent for new roof finishes to front, top and side sections of main roof and replacement of dormer window surrounds. Currently under consideration.

PROPOSAL

This application seeks planning permission for new roof finishes to front, top and side sections of the main roof and replacement of dormer window surrounds.

The replacement tiles are to be Marley composite tiles. There are uPVC windows in the roof of the building and whilst the existing windows do not need to be replaced, the proposal would replace the timber window surrounds.

Works have already commenced on site and evidence of the proposed replacement tiles were noted on the site.

CONSULTATION RESPONSES

Consultation responses are available in full on the planning file. The main points raised are summarised below.

Folkestone Town Council – Object. The current roof coverings do not have Listed Building Consent and nor do the replacement fenestration and uPVC, the obligation to apply for Listed Building Consent is with the building, not the owner. The roof should be reinstated to a slate roof, as it originally was. These works should be carried out quickly to prevent further damage from occurring. The proposed roof tiles would be too heavy for the roof structure and is not in keeping with the surrounding area.

Heritage Officer – roof materials proposed are not acceptable and alternatives should be discussed.

REPRESENTATIONS

2 representations received and are available in full on the planning file. The main points raised are summarised below.

No objection

- Refurbishment is welcomed

Objection

- Application is inaccurate and untruthful. Tiles have been removed and started to be replaced recently.
- Site is within the Conservation Area.

PUBLICITY

Neighbours notified by letter. Expiry date 06.03.2024

Site notice displayed. Expiry date 08.03.2024

Advertised in press. Expiry date 14.03.2024

RELEVANT POLICIES

Places and Policies Local Plan 2020: HB1 & HB8

Core Strategy Review 2022: SS1, CSD6

NPPF paras. 195-208

NPPG Historic Environment

Planning (Listed Buildings and Conservation Areas) Act (1990)

APPRAISAL

Design, visual appearance & impact upon the Listed Building and Conservation Area

Section 66(1) of the Planning (Listed Buildings and Conservation Area) Act 1990 requires special regard to be had to the desirability of preserving the Listed Building or its setting or any special architectural or historic features it possesses.

The NPPF requires the impact on the significance of the designated heritage asset to be considered and where potential harm is identified, the harm needs to be categorised as either "less than substantial harm" or "substantial harm". The National Planning Practice Guidance (NPPG) states that whether a proposal causes substantial harm will be a judgement for the decision maker, but it also makes it clear that substantial harm is a high test.

Paragraph 205 of the NPPF states that great weight should be given to the conservation of a designated heritage asset when considering applications that affect its significance, irrespective of

how substantial or otherwise, that harm might be. Paragraph 206 states that any harm to or loss of the significance of a designated heritage asset should require clear and convincing justification. Where a proposal would result in less than substantial harm, the NPPF requires that it is weighed against the public benefits of a proposal in the manner described in paragraph 208. Heritage benefits are a public benefit to consider in the weighing exercise.

The significance of this building is derived from its strong architectural presence and detailing which contributes to the immediate streetscene and conservation area. The property has a sense of historic splendour and contributes to the historic relevance of The Leas and the historic Victorian grandeur of this end of Folkestone. The site is also within a designated Conservation Area, the significance of which derives from its historic and architectural importance.

The application site reads alongside the nearby Carlton Hotel, to the immediate East, which is also a Listed Building.

In terms of the impact on the significance of the listed building, the submitted supporting statements highlight that works to the roof in general have taken place over many years and that there is evidence of felt (in place of lead) and composite slate tiles and concrete tiles (in place of real slate tiles) and that as a result the roof has a mix of materials that differ from the original and that these materials have been in place for many years.

The supporting statements sets out that the reason for proposing Marley composite replacement tiles is based on the fact that the site is within an exposed location and these tiles are more readily available, are durable, fire-resistant, sustainable, and imitates the appearance of real slate. The statements also say that the roof tiles would not be highly visible from outside the site. The existing felt on the roof would also be replaced with a like-for-like product. The dormer window surrounds would also be replaced with uPVC to support the existing uPVC dormer windows (the windows themselves would not be replaced).

Irrespective of works previously carried out on other parts of the building, each case must be considered on its own merits and in this case, it is important to retain and maintain the authenticity of the Listed Building. The other works on the Listed Building roof, including the uPVC windows in the dormers do not appear to have had the benefit of Listed Building Consent or planning permission and as such the existing and historic works are still unauthorised since works to a Listed Building do not become lawful over time. The fact that unsympathetic repairs using inferior materials has been carried out in the past is not a reason to now approve unacceptable works to a Listed Building. The use of composite slate materials, modern felt and uPVC would impact the historic significance of the Listed Building. The fact that the works are not highly visible from outside the site is not a material planning consideration when assessing works to a Listed Building.

The agent highlights that the historic listing only refers to the front of the building, however the entire building, internally and externally is Listed. The description given on the formal listing is purely for identification purposes of the building to which the listing relates.

The supporting documentation provides justification for the proposed works noting that there is already composite and concrete tiles on the roof, as well as felt and uPVC. The reasoning for using these inferior materials seems to hang on cost/durability and ease of obtaining the materials. With regard to the NPPF, whilst this national document promotes sustainability, this should not be to the detriment of a designated heritage asset without clear and convincing justification. In this case the fact that there are similar materials on the roof already (used without first obtaining the relevant

consent) and that the proposed materials are cheaper and easier to obtain is not sufficient justification where the resulting harm to the Listed Building would not be outweighed by the public benefit.

In terms of the impact on the significance of the conservation area, the vast majority of the roof is not highly visible from outside the site, unlike the uPVC windows which are more visible from along The Leas and wider Conservation Area. The impact of the uPVC even at this high level is a concern and the fact that uPVC has already been installed on the property is not a reason to accept further poor quality replacements within the Conservation Area where such materials are not generally supported. Again, the fact that there is evidence of uPVC within the building is not a reason to approve unacceptable materials where these materials would not normally now be considered acceptable in a Listed Building in a Conservation Area.

In terms of the proposal's impact on the designated heritage assets (Listed Building and Conservation Area), it is considered that the works would result in 'less than substantial harm' to these heritage assets. Where a proposal would result in less than substantial harm, the NPPF requires that it is weighed against the public benefits of a proposal in the manner described in paragraph 202. Heritage benefits are a public benefit to consider in the weighing exercise. In this case it is considered that whilst this building is used as a hotel, the benefit could only ever serve a small number of the public who opt to stay at the hotel and this in itself is not considered sufficient enough to outweigh the harm to the heritage asset.

The proposal is therefore considered contrary to Local Plan Policy HB1 and HB8 and to paras 194-202 of the NPPF for the reasons set out above.

Residential amenity

There would be no impact on the residents of the other flats and buildings in the area as a result of these works.

Archaeological Potential

Given the minor nature of the application it is not considered likely to result in harm to any buried items of archaeological interest. As such it is considered that no further information or mitigation is required in this regard.

Environmental Impact Assessment

In accordance with the EIA Regulations 2017, this development has been considered in light of Schedules 1& 2 of the Regulations and it is not considered to fall within either category and as such does not require screening for likely significant environmental effects.

Local finance considerations

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. Section 70(4) of the Act defines a local finance consideration as a grant or other financial assistance that has been, that will, or that could be provided to a relevant authority by a Minister of the Crown (such as New Homes Bonus payments), or sums that a relevant authority has received, or will or could receive, in payment of the Community Infrastructure Levy.

In accordance with policy SS5 of the Core Strategy Local Plan the Council has introduced a Community Infrastructure Levy (CIL) scheme, which in part replaces planning obligations for infrastructure improvements in the area. This application is not liable for the CIL charge.

DUTY TO COOPERATE

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), February 2019 the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and creative way by offering a pre-application advice service and, where possible, suggesting solutions to secure a successful outcome and as appropriate, updating applicants / agents of any issues that may arise in the processing of their application.

In this instance the application is not acceptable and there are no amendments that could be made that would overcome concerns as the works on site have commenced and some of the elements subject of the refusal have already been installed.

The applicant did not partake in pre-application advice prior to carrying out the works to the Listed Building.

HUMAN RIGHTS

I have also taken into account the human rights issues relevant to this application. In my view, the Assessment section above and the Recommendation represents an appropriate balance between the interests and rights of the applicant (to enjoy his land subject only to reasonable and proportionate controls by a public authority) [and the interests and rights of those potentially affected by the proposal (to respect for private life and the home and peaceful enjoyment of their properties)] and the wider public interest.

PUBLIC SECTOR EQUALITY DUTY

In determining this application, regard has been had to the Public Sector Equality Duty (PSED) as set down in section 149 of the Equality Act 2010, in particular with regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it. It is considered that the application proposals would not undermine objectives of the Duty.

It is considered that the application proposals would not conflict with objectives of the Duty.

RECOMMENDATION

In light of the above, it is considered that planning permission should be refused.

Recommended Refusal Reasons (1)

The proposed alterations, by virtue of the use of Marley composite roof tiles, flat roofing felt and uPVC window surrounds, would represent unsympathetic materials, profile and appearance that would cause less than substantial harm to the significance, special architectural interest and historic character of the Listed Building and Conservation Area and would not give rise to any public benefits sufficient to outweigh this harm. The application is therefore contrary to policies HB1, & HB8 of the Places and Policies Local Plan and the National Planning Policy Framework 2023.

Suggested Informatives (1)

Your attention is drawn to the fact that this refusal of planning permission is on the basis of submitted documents:

Proposed Site Location Plan – P0600 Rev.1 – 01.02.2024

Proposed Elevations – P2110 Rev.1 – 01.02.2024

Proposed Roof Plan – P2010 Rev.1 – 01.02.2024

Proposed Perspective View – P2710 Rev.1 – 01.02.2024

Heritage Statement – January 2024 – 01.02.2024

Design & Access Statement – January 2024 – 01.02.2024