

Statement of Case of the Council

Appeal by Chris Hall on behalf of Tony Reynolds
against the refusal of planning permission: 25/1512/FH

Site Address: Clifton Hotel, 1-6 Clifton Gardens,
Folkestone, CT20 2EB

Appeal Reference: 6001784

Planning Application Reference: 25/1512/FH

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Appendices

1. Officer Report 25/1512/FH
2. Decision Notice 25/1512/FH
3. Conservation and Heritage Officers comment on 25/1512/FH

1.0 Introduction

- 1.1. This statement of case of the Council relates to the planning appeal made by the appellant following the refusal of planning application 25/1512/FH.
- 1.2. The application for planning permission, which is the subject of this appeal, was received and validated by the Council on the 11 August 2025.
- 1.3. The proposal description is as follows:

Installation of a static canopy to cover the walkways at four entrances
- 1.4. The application was determined in accordance with the Council's scheme of delegation, and the decision notice was issued on the 6 October 2025.
- 1.5. Planning permission was refused on the following grounds:
 1. *The proposed canopies, by virtue of their location, modern design, and combined impact with existing external features, would introduce visual clutter that harms the architectural character of the building. This would cause less than substantial harm to the setting of the Grade II Listed Statue of William Harvey and the significance, character and appearance of the Folkestone Leas and Bayle Conservation Area. No public benefits have been identified to outweigh this harm. As such, the proposal conflicts with Policies HB1 and HB8 of the Places and Policies Local Plan, the National Planning Policy Framework and does not comply with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.*
- 1.6. The officer report dated 6 October 2025 is appended to this Statement of Case at **Appendix 1**.
- 1.7. A copy of the decision notice dated 6 October 2025 is appended to this Statement of Case at **Appendix 2**.
- 1.8. This statement seeks to address the appellant's grounds of appeal and provide detailed reasoning for the refusal reasons above, and how this specifically relates to both the National Planning Policy Framework and the Council's adopted Local Plan (and any other relevant guidance and policy).

2.0 Site and Surroundings

- 2.1 The application site consists of a four-storey Italianate stucco building painted white with an additional storey set within the mansard roof of the building. The elevations are highly decorative and feature bay windows, porticos, decorative eaves and timber sash windows throughout. The building is set back from the

public footpath resulting in a patio space that is separated from the highway by a low-level wall matching the design of the main building.

2.2 The site sits within Folkestone Leas and Bayle Conservation Area. The immediate street scene of Clifton Gardens and Langhorne Gardens features white painted stucco buildings of a similar character to the proposal site. The wider area to the west of the proposal is characterised by white stucco buildings most of which have been converted to flats but would have been large Victorian villas, most notably along the Leas, Augusta Gardens, Trinity Gardens and Clifton Crescent and Trinity Crescent. These buildings contribute significantly to the appearance of the Conservation Area and are highly visible from the Leas Promenade an important feature of the Conservation Area.

2.3 The proposal is also opposite the Grade II Listed Statue of Willam Harvey on Plinth and therefore has the potential to affect its setting. The site also sits within an Archaeological Notification Area and SSSI Impact Zone.

3.0 The Proposal

3.1 The application sought planning permission for the installation of one canopy to the south facing elevation and a further three to the east facing elevation of Clifton Hotel. The canopy to the south has already been installed and is therefore retrospective.

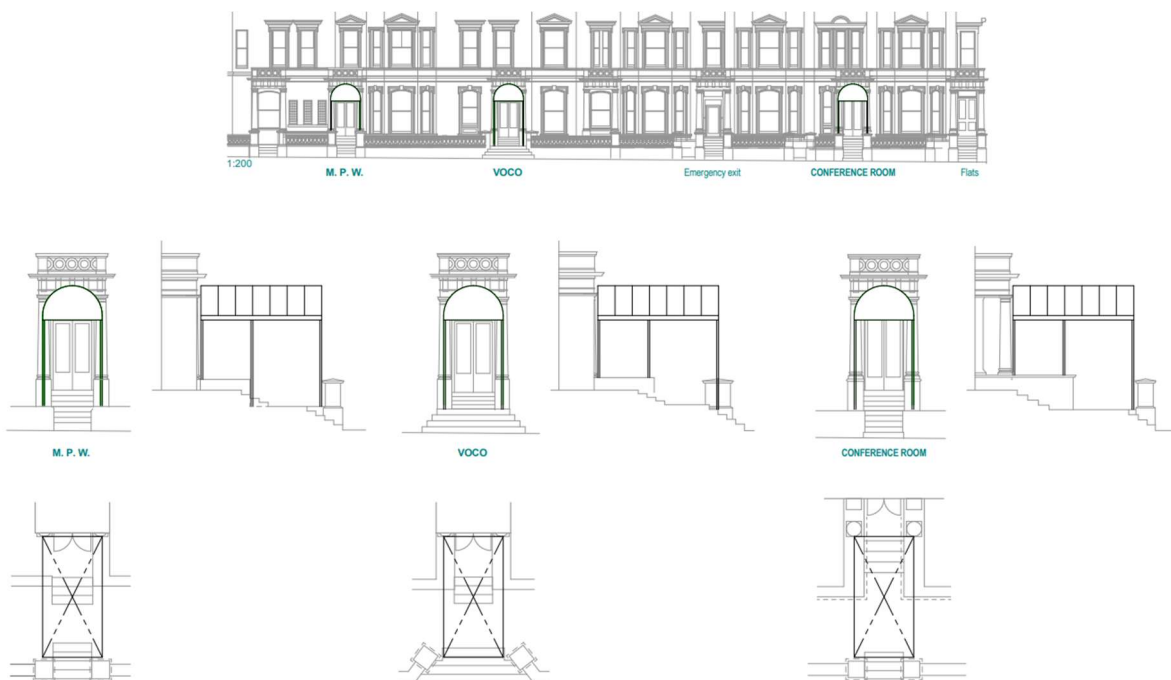


Figure 1: Proposed Eastern Elevation

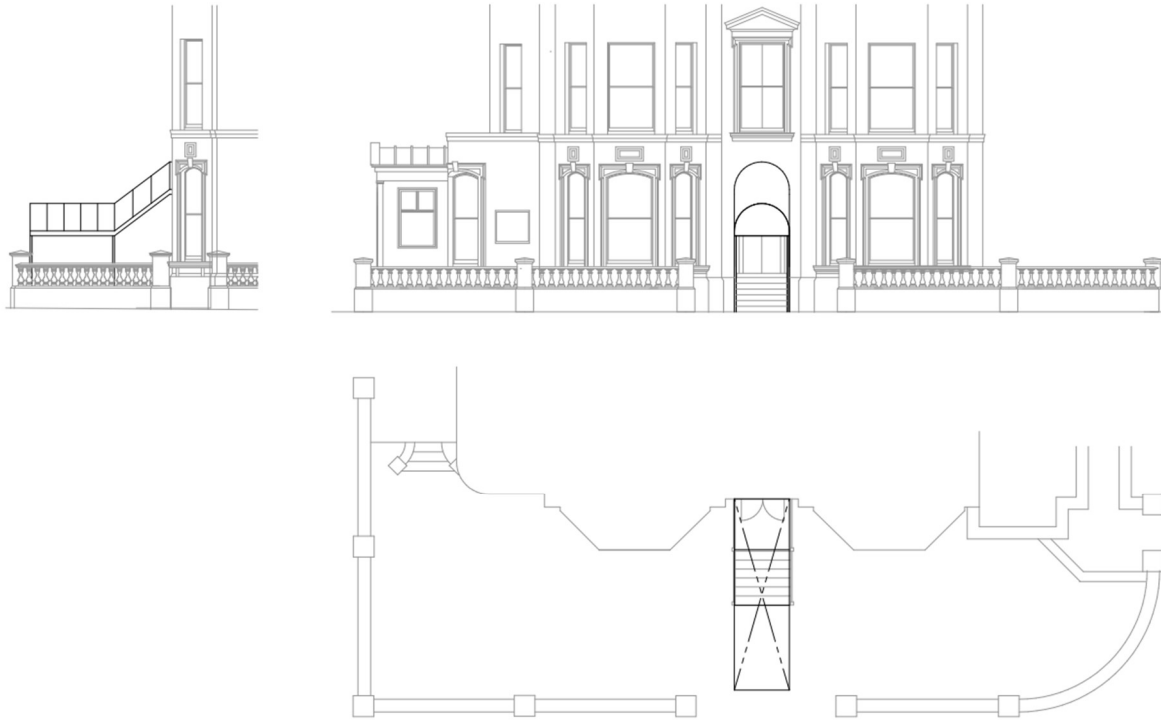


Figure 2: Proposed Southern Elevation



Figure 3: View of site from Leas Promenade



Figure 4: View of Eastern Elevation



Figure 5: View of Southern Elevation



Figure 6: Close up view of canopy

4.0 Relevant Planning History

4.1 The following site history is relevant to the current application:

24/1453/FH	Advertisement Consent for external signage	Approved with Conditions
24/0484/FH	Installation of replacement windows to the 1st and 4th Floor	Approved with Conditions
24/0336/FH	Replacement windows to first floor	Refused

AP-6639	Appeal against Refusal of planning application 23/1764/FH	Allowed
23/1764/FH	Replacement windows to 2nd and 4th floors	Refused
Y18/0380/SH	Application for the discharge of conditions 3 (materials), 5 (joinery) and 6 (construction method) of planning permission Y17/1090/SH (demolition of existing west elevation site extension and provision of new side extension, associated works and redecorations)	Approved
Y17/0380/SH	Advertisement consent for the display of No.1 internally illuminated fascia/wall sign	Approved with Conditions
Y17/1090/SH	Demolition of existing west elevation side extension and provision of new side extension, associated works and redecorations	Approved with Conditions
Y17/1044/SH	Demolition of existing entrance canopy and provision of new entrance canopy, reinstatement of external steps to the south elevation. Resubmission of Y17/0499/SH	Approved with Conditions
SH/81/1116	Erection of 2 canopy/awnings	Approved

5.0 Planning Policy and Guidance

5.1 The National Planning Policy Framework (December 2024) sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally prepared plans for housing and other development should be produced. The following chapters of the NPPF are particularly relevant to this appeal.

Paragraph 7 - Achieving sustainable development.

Paragraph 11 - Presumption in favour of sustainable development.

Paragraph 39 to 60 - Decision making.

Paragraphs 131 to 141 - Achieving well-designed places.

Paragraph 202 to 214 – Conserving and enhancing the historic environment.

- 5.2 National Planning Policy Guidance (NPPG)
- 5.3 The Development Plan comprises the Places and Policies Local Plan 2020 and the Core Strategy Review 2022.
- 5.4 The following Local Plan policies are relevant to this appeal.
Places and Policies Local Plan (2020)
Policy HB1 - Quality Places Through Design
Policy HB8 – Alterations and Extensions to Buildings
- 5.5 The Planning (Listed Building and Conservation Area) Act 1990
Section 66 – Listed Buildings
Section 72 – Conservation Areas

6.0 Council's Response to Appellants Statement of Case

Consultation responses

- 6.1 The appellant's statement suggests that the Conservation and Heritage Officer made no comment on the proposal. In fact, comments were provided as part of the internal consultation process. As the Conservation and Heritage Officer is part of the council, and the decision represents the council as a whole, these internal comments are not published separately.
- 6.2 The Conservation Officer's representation has been attached under appendix 3 but in summary it raises concerns regarding the lack of information submitted, that the proposal would create a poor appearance amongst the setting and appearance of the Conservation area and that the proposed materials are unclear. Therefore, it concludes that the harm arising has not been justified or assessed to the nearby listed asset or surrounding conservation area.

Site History

- 6.3 The appellant's statement refers to a previous approval for canopies under application SH/81/1116. That application related solely to two canopies. The submitted details for the 1981 application include a quotation specifying that the canopies would be chocolate brown with scalloped edges and gold valances.
- 6.4 In contrast, the three canopies visible in the submitted street imagery do not match the description of those approved in 1981, and there are no records of any subsequent planning applications for canopies on this building. Furthermore, the canopies proposed under the current application differ in both design, appearance and number from those shown in the street photography.

- 6.5 Notwithstanding the above, as outlined in the officer report, the canopies were removed in 2017 and have not been reinstated since. Google Street View imagery shows the canopies in place between 2009 and 2016, indicating that by the time of their removal they had likely become lawful through the passage of time.
- 6.6 However, it is important to note that both national and local planning policy have evolved significantly since that period, the most recent revision of the NPPF (2024) placing a much greater emphasis on the significance of heritage assets and the importance of their preservation. In light of this, the existence of previous canopies does not establish a precedent for the current proposal.

Refusal Reason

- 6.7 The appellant's statement asserts that the proposal would be "lightweight in appearance and assimilating with the other paraphernalia on the terraces to the east and south elevations." While the proposed canopies are of a lightweight design, they incorporate a modern aesthetic that conflicts with the decorative stucco detailing of the main building. In addition, the canopies project substantially from the elevations, with the southern elevation canopy being particularly prominent due to the stepped access. This results in a large-scale, visually intrusive addition that is highly conspicuous.
- 6.8 The combination of the proposed canopies and the existing abundance of paraphernalia within the surrounding patio area further intensifies the visual clutter at the site. This accumulation disrupts and obscures views of the building's elevations, causing harm to its architectural character and diminishing the contribution it makes to the wider Conservation Area.
- 6.9 The appellant's statement suggests that the provision of canopies at hotel entrances is a common feature. While such additions may be typical for hotels generally, in this case the impact of the poorly designed canopies on the appearance of a prominent building within a Conservation Area is considered to result in harm that outweighs any perceived benefit.
- 6.10 Further to the above, the appellant's statement also refers to the need to advertise the hotel, provide shelter from inclement weather, and prevent water ingress into the building. The need for advertising could be addressed through a more sympathetic addition or an alternative method, rather than the proposed canopies. Moreover, this is not considered to constitute a public benefit sufficient to outweigh the harm caused by the proposal.
- 6.11 The claim regarding water ingress was not raised during the application process, and no supporting details have been provided. In the absence of any evidence, it is not considered that the proposed canopies are necessary to prevent water ingress into the building.

- 6.12 The information provided at the time of the application did not raise any of the above reasons as to why the canopies are required. It also did not assess what the perceived impacts of the proposal would be on the character and appearance of the Conservation Area or setting of the Grade II Listed Statue. Therefore, it is concluded that the proposal does not present a public benefit that would outweigh the less than substantial harm resulting from the proposed canopies.

7.0 Conclusion

In light of the above the Council respectfully requests that the appeal be dismissed.

8.0 Suggested Conditions

Should the Inspector be minded to allow the appeal, the Council respectfully requests, without prejudice to its case, that the following conditions be imposed.:

Planning Permission

1. The development hereby permitted shall not be carried out except in complete accordance with the following approved drawings and documents:

36912 Proposed South Elevation (Received: 11/08/2025)
36915 Site Plan (Received: 11/08/2025)
Site Location Plan (Received: 11/08/2025)
36913 Proposed East Elevation (Received: 11/08/2025)

Reason:

For the avoidance of doubt and in order to ensure the satisfactory implementation of the development in accordance with the aims of the Places and Policies Local Plan.

2. No development beyond construction of foundations shall take place until details of the external finishing materials to be used on the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason:

In the interest of visual amenity.

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