

# Protecting theatres for everyone



Ref.: TC/932

18 June 2020

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**Application:** 20/0579/FH & 20/0563/FH

**Site:** The Leas Club The Leas Folkestone Kent CT20 2DP

**Proposal:** Full planning application for the 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 community access/assembly and leisure (Class D2), together with the construction of a nine storey residential apartment block (5 full storeys, with setbacks to the upper four storeys) and associated cycle and refuse storage, landscaping, with two parking areas provided at half-basement level, accessed from Longford Terrace and Longford Way.

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 community access/assembly and leisure (Class D2), and construction of a residential apartment block.

## Remit:

The Theatres Trust is the national advisory public body for theatres. We were established through the Theatres Trust Act 1976 'to promote the better protection of theatres' and provide statutory planning advice on theatre buildings and theatre use in England through The Town and Country Planning (Development Management Procedure) (England) Order 2015, requiring the Trust to be consulted by local authorities on planning applications which include 'development involving any land on which there is a theatre'.

## Comment:

This application for planning permission and listed building consent has come to the attention of the Trust as the Leas Club, having initially been built as an Edwardian tearoom used for concerts and film screenings, was a dedicated theatre between 1928 and 1985. Subsequent to that it was used as a night club, music venue and pub. The site is also known as Leas Pavilion, and was

### Theatres Trust

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**Chair** Tim Eyles **Director** Jon Morgan

**Trustees** Richard Baldwin, David Blyth, Pam Bone, Paul Cartwright, Paddy Dillon, David Ian, Richard Johnston, Gary Kemp, Simon Ricketts, Truda Spruyt

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awarded Grade II listed status in 2007 following its closure. Its condition since that time has been deteriorating; we note it has previously been featured on the Victorian Society's Top 10 Endangered Buildings Campaign.

We are keen to see the Leas Pavilion restored and returned to active use and recognise the challenges in achieving that; we accept enabling development may be a necessary means of delivery. Therefore in principle we welcome these proposals, subject to appropriate conditions and management arrangements being in place which ensure the public benefits of the proposal are safeguarded and Leas Pavilion is able to successfully co-exist with future occupants of the residential accommodation as the dominant element of the development.

In terms of the approach to restoration of Leas Pavilion and its ongoing use we are supportive of what has been proposed; a flexible community facility including provision for live performance would afford the flexibility required to ensure the Pavilion's ongoing sustainability. It would help enhance Folkestone's social and cultural provision. It is clear the façade is in poor condition with need for repair and documents accompanying the application also cite internal deterioration arising from water ingress. We have no objection to removal of the stage installed under the 1928 refurbishment, particularly as the proposed demountable stage will provide flexibility, and consider reinstatement of the 1902 design with its northern gallery and colonnade and decorative interior to be an appropriate way forward. The removal of the later canopy has already been permitted through application Y19/0665/FH which the Trust supported in June 2019.

However, residential use will in effect be the primary landuse and also the element likely to deliver greatest financial return for the applicant or future developer. Therefore we consider it essential that should the Council be minded to permit this proposal conditions are put in place which secures and safeguards restoration of Leas Pavilion and ensures it is operated as envisaged for the benefit of the wider community. Primarily we recommend a condition which prevents sale or occupation of a proportion of residential units until such time as restoration of Leas Pavilion has been fully completed. Such a condition has been successfully utilised within other developments and the Trust is willing to work with the Council, the applicant and other stakeholders on appropriate wording. It can be considered consistent with the six tests set out in Planning Practice Guidance on the use of planning conditions and paragraph 92 of the NPPF (2019).

Although as noted we support the vision for Leas Pavilion and how it will be used there is currently no detail on how it will be managed or operated. This is especially critical as there will be shared access with the residential development. We would recommend a condition requiring submission and approval of a management plan which also commits to opening the venue for the wider public (not resident within the proposed development) and sets out a minimum number of days of operation. Again we can cite similar in use elsewhere and can assist with drafting. We would strongly advocate a peppercorn rent being secured, and that to avoid future restrictions on Leas Pavilion particularly as a result of conflict with residential occupants related to noise there is sufficient acoustic insulation of residential units.

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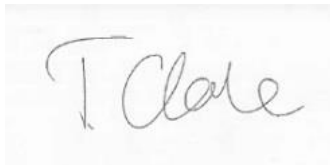
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While we do not object to the proposal in principle and the quantum of development we have some concern regarding the overall design and massing and the impact this has on the appearance and significance of Leas Pavilion and its setting. We suggest the proposal should be reviewed, perhaps to step the building up and back from Leas Pavilion or for the side wings to be pulled back to help maintain the Pavilion's existing character as a low and horizontal block rather than being almost subservient beneath the new development.

In conclusion we are supportive of the development in principle although suggest that the scheme is amended to maintain Leas Pavilion's character as a designated heritage asset and setting. We also consider it essential the development is conditioned as set out to ensure the public benefits of a restored Leas Pavilion as a heritage, cultural and social asset are realised.

Please do not hesitate to contact the Trust should you wish to discuss this representation in greater detail.



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National Planning Adviser

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