

TONBRIDGE & MALLING BOROUGH COUNCIL

AREA 1 PLANNING COMMITTEE

21 January 2016

**Report of the Director of Planning, Housing and Environmental Health and
Director of Central Services**

Part 1- Public

Matters for Information

**ENFORCEMENT ACTION IN CONNECTION WITH DEVELOPMENT AT GEORGE
AND DRAGON PH, 17 SHIPBOURNE ROAD, TONBRIDGE – UPDATE REPORT**

To update Members on enforcement action taken using emergency powers in connection with the development at the George and Dragon Public House, 17 Shipbourne Road, Tonbridge.

1.1 Introduction

- 1.1.1 In late November 2015 it came to the Council's attention that significant internal and external works were being undertaken to this Grade II Listed Building which did not have formal consent from this Authority. These unauthorised works had commenced despite efforts from Officers in August 2015 to engage with the contractors and owners in order to explain the difference between repairs to a Listed Building not requiring consent and alterations to the building which would require consent.
- 1.1.2 As soon as it became apparent that such works had commenced, the contractors were instructed to stop all works, which they complied with. However, it left a situation whereby the works that had been undertaken were unauthorised and further works were needed to either remedy certain unacceptable elements of the unauthorised development along with a need for additional works to take place in order to seek to secure the preservation of the building in an appropriate way (to ensure the works were completed in an acceptable manner).
- 1.1.3 Members will be aware that it is an offence to carry out unauthorised works to a Listed Building and as such the Council in its role as Local Planning Authority has the ability to prosecute anyone with an interest in the property in such circumstances. However, in this instance our primary concern was ensuring the long term future of the Listed Building prevailed and it was concluded that the most appropriate form of action would be to serve a Listed Building Enforcement Notice using the emergency powers of the Director of Central Services. The Notice was served on 08 December 2015. If no appeal is lodged by the developer, the Notice will become effective on 08 January

2016 with a period for compliance of three months but I can advise Members that steps have already been taken to comply with certain aspects of the Notice, giving us every confidence that the Notice will be complied with and that no appeal will be lodged.

- 1.1.4 The Notice requires internal and external remedial and completion works to be undertaken in compliance with a detailed and exhaustive Schedule appended to the Notice itself.
- 1.1.5 We have reported this matter to the Committee in view of the serious nature of the breach of planning control and the significant extent of the works required by the Listed Building Enforcement Notice to rectify the unauthorised situation.

FOR INFORMATION