

Application No: **Y16/0605/SH**

PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990

Notification of Refusal of Listed Building Consent

Mr David Andrews
C/o Mr Jonathan Size
Foster Wilson Architects
1 Purley Place
London
N1 1QA

Take notice that The Shepway District Council, the Local Planning Authority under the Town and Country Planning Acts, **HAS REFUSED TO GRANT LISTED BUILDING CONSENT:**

situate at: LEAS CLIFF HALL THE LEAS FOLKESTONE KENT

**and being LISTED BUILDING CONSENT FOR THE ERECTION OF A SMALL
TIMBER MARKET STALL BUILDING UPON THE ROOF TERRACE.**

referred to in your application for works received on 20th June 2016.

REASONS:

1. The proposed building, would by virtue of its siting upon the observation deck within a prominent open aspect area, together with its prosaic, poor design, form and choice of materials result in a visually incongruous building that would fail to preserve the special architectural or historic interest of the Grade II listed building. As such, the development would be contrary to the saved Local Plan Review policies SD and BE5, and the NPPF: 2012 which seek to preserve the settings, character and appearance of listed buildings.

INFORMATIVES

- 1 Your attention is drawn to the fact that this refusal of listed building consent is on the basis of submitted drawing No(s) 00/01, 02/01, 02/02, 00/12, 02/04, 02.05, 02.06.



Dated this 15th day of August 2016

Shepway District Council,
Civic Centre, Castle Hill Avenue,
Folkestone, Kent CT20 2QY

Ben Geering
Head of Planning

LISTED BUILDING/CONSERVATION AREA CONSENT GUIDANCE NOTES FOR THE APPLICANT

1. If the applicant is aggrieved by the decision of the District Planning Authority to refuse listed building/conservation area consent for the proposed works, or to grant consent subject to conditions, you may appeal to the Secretary of State within six months of the date of the decision notice, using a form which you can get from Initial Appeals, The Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at www.planningportal.gov.uk in accordance with Section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
2. If listed building/conservation area consent is refused, or granted subject to conditions, whether by the District Planning Authority or by the Secretary of State, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any works which have been or would be permitted, he may serve on the Council of the district in which the land is situated a listed building purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Section 32 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
3. In certain circumstances, a claim may be made against the District Planning Authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State or on appeal a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990.