



# Vigo Parish Council

---

Vigo Village Hall  
The Bay, Vigo Village  
Gravesend  
Kent DA13 0TD  
Tel: 01732 823337

Email: [clerk@vigo-pc.gov.uk](mailto:clerk@vigo-pc.gov.uk)  
Web: [www.vigo-pc.gov.uk](http://www.vigo-pc.gov.uk)

Dear Residents,

## COVENANTS IN VIGO

Covenants were established across the whole Village by the original developers to ensure that the character and appearance of Vigo was maintained for all residents, both current and new. Vigo Parish Council has inherited the responsibility to continue to apply these, but we recognise that they were not intended to simply preserve the Village frozen in time.

It became clear that as the years passed and needs and fashions changed, there was a requirement to review how the Covenants are administered.

To assist with this review, the Parish Council carried out a survey on Covenants in 2020. Some 300 responses were received and the results confirm that the majority of residents are in favour of the Covenants and strongly support them to maintain the appearance and ambience of the Village.

The guidance in this leaflet, outlining how the Covenants will be administered, has been produced with the results of the survey firmly in mind.

The Covenants address the following:

1. Everyone must maintain the barrier as defined on the Land Registry plan for their property.
2. Residents must not use their houses, garages or outbuildings or land as business premises. Residents must not use their property for any activities that cause a nuisance or annoy other residents.  
Existing trees must not be cut down. Generally, the trees in the Village are also covered by a 'Tree Preservation Order' and this is rigorously enforced by Gravesham Borough Council.
3. Residents must obtain written approval from the Parish Council (as successors to the Developers) for any new building or external additions or alterations to a property. Residents cannot erect walls or fences or grow hedges in front of the house.  
Residents cannot change the position or height of existing walls or fences unless they have written permission (from VPC).
4. It is the responsibility of householders not to damage, or obstruct roads and footpaths.
5. Residents are required to maintain the quality of their exterior paintwork.
6. All residents must pay for the maintenance of the community areas in the Village - this is now included within each residents Council Tax.

More details about the Covenants can be found on our website: <https://www.vigo-pc.gov.uk> on the Your Community tab.

The Covenant that raises the most issues is Covenant 3 as it is the one that applies if residents wish to alter the appearance of their house. It places a legal responsibility on all residents of Vigo Village, to first obtain the permission of the Parish Council before extending, adapting or improving their properties. It also covers fences, walls and hedges.

If you want to improve your property you will certainly need to get the permission of the Parish Council and it would be advisable to also seek the advice of the Borough Council about whether planning permission is required.

Vigo is in the Kent AONB (Area of Outstanding Natural Beauty) and as such some permitted development rights are not allowed and planning permission should be sought. And remember you will still need Covenant permission, even if what you propose constitutes a Permitted Development.

The intention of the Parish Council is not to stop residents from improving their properties by imposing petty and unnecessary rules. However, we are concerned to protect the open plan character and building style of Vigo, for the benefit of existing and future residents and to reflect the views indicated by residents in the 2020 Survey.

Please be assured that every application will be carefully considered and will only be rejected if it clearly fails to meet the objectives contained in this leaflet. In contentious cases we will always endeavour to speak to residents before making a final decision.

The majority of people in Vigo are responsible people who clearly share the aims of the Parish Council. However, should any resident choose to proceed with an improvement or move a fence etc. without obtaining Covenant approval it may stop the future sale of their property and may result in legal action through the County Court.

We hope you will find the guidelines useful. If you want to improve your property and have any queries about whether your proposals meet them, please contact the Parish Council via the Clerk [clerk@vigo-pc.gov.uk](mailto:clerk@vigo-pc.gov.uk) or by writing to her c/o the Village Hall.

Thank you.

Vigo Parish Council - August 2021



## VIGO PARISH COUNCIL APPLICATION OF COVENANTS WITHIN VIGO

All residents of Vigo are bound by the six Covenants previously noted, which were introduced by the original developers.

The benefits of these Covenants were transferred to Vigo Village Trust Limited (VVT Limited) in 1981 and then Vigo Parish Council in 2004.

### Covenant 3

Covenant 3 is the Covenant that has most frequent implications for residents. It is defined as follows:

"No additional buildings or any external additions or alterations to any existing buildings shall be erected or made on any part of the land hereby transferred unless the plans and drawings and specifications thereof shall have been first submitted to and approved in writing by the Transferor and no walls, fences or hedges shall be erected, made or grown in front of the building line and the position and height of existing walls and fences shall not be altered without the written consent of the Transferor."

For clarification, the building line is defined as the furthest point reached by the front of the original building without regard to the position of neighbouring properties.

There is no charge for applications made and approved before building work commences. The Parish Council charges £50 for a request for a retrospective application.

Please note, Covenant applications are separate from planning permission and building regulations approval, both of which are administered by Gravesham Borough Council (GBC). The Parish Council is always notified and invited to comment on applications made to the Borough Council by a resident and would normally do so with reference to its own procedures and guidelines.

In administering Covenant 3 the aim is to balance the wishes of individual residents to improve their properties with the wider objective of preserving the character of the village manifest in its building design and open plan character, as supported by residents in the survey of 2020.

Each case referred to the Parish Council will be considered against the guidelines set out below, which are given without prejudice to the merits of individual cases. It must be stressed that they are guidelines only and the Parish Council reserves the right to vary them where individual circumstances warrant it.

#### Fences and Walls

The main objective is to maintain wherever possible the open-plan character of the Village and to avoid "tunnelling" along pathways.

Applications for the following will normally be considered favourably:

- a. to erect or grow a small barrier up to 0.5m (or possibly higher providing the barrier is 50% open) in situations, where there is a need to discourage the resident's property being used as a footpath
- b. replacement of existing fences and walls on a 'like for like' basis

Approval to erect a new boundary fence would not normally be given in the following circumstances:

- a. where the fence or wall extends beyond the building line (the furthest point reached by the front of the property);
- b. where unreasonable nuisance such as reduced light would be caused to immediate neighbours;
- c. where "tunnelling" would result where there are properties on either side of a path. In such circumstances the fence/wall should not be erected within 1 metre of the edge of the path. An exception to this rule might be where there is open Parish land opposite;
- d. where the fence/wall is too high or constructed of unsuitable materials. Normally 1.8 metres (6 feet) would be the maximum.

## Alterations and Improvements

The main objective is to preserve the character of the village and in particular the original building design, as supported by the survey in 2020.

Applications for the following will normally be considered favourably:

- a. replacement of windows with aluminium, hardwood or UPVC frames, where the casements match the style of the original
- b. white, grey or brown replacement frames
- c. clear glass except for privacy where appropriate
- d. replacement front and garage doors
- e. replacement cladding of a similar style (tile or shiplap effect) in keeping with neighbouring properties
- f. rear and side extensions where they are in proportion to the original building and do not impact on neighbouring properties
- g. garage conversions where it can be shown that two parking spaces will be still available on-site

Approval to alter or extend a property would not normally be given in the following circumstances:

- a. replacement windows where leaded, Georgian or similar style glass is proposed, resulting in multiple small panes of glass
- b. a dramatic change in cladding colour, style or materials
- c. where the extension/alteration extends beyond the building line, as defined above;
- d. where the size of the extension/alteration is clearly out of proportion with the rest of the property and the surrounding properties;
- e. where the design or materials used is clearly not in keeping with the rest of the property or the surrounding properties;
- f. where the extension/alteration is likely to have a particularly adverse effect on neighbours or the immediate area;

If material changes are proposed to buildings or boundaries, the observations and approval of immediate neighbours should be sought by the applicant and submitted with the Covenant approval application.

## **THE OTHER COVENANTS**

**Covenant 1** - Maintenance of barriers.

There are rarely any issues but this covenant will be enforced if & when required.

**Covenant 2** - Use of property for business.

As the nature of work has evolved since Vigo was built many people now use their homes for work without causing any inconvenience or nuisance to their neighbours. In recognition of this, the Parish Council will usually only enforce this covenant where a nuisance is caused.

**Covenant 2** - Activities that cause a nuisance or annoy other residents.

The Parish Council will take appropriate action, including liaising with the Environmental Health Department of the Borough Council.

**Covenant 2** - Tree Preservation Orders

Vigo is a beautiful Village and much of its character is related to the abundance of trees which are covered by Tree Preservation Orders. The Parish Council will act where trees in private gardens are damaged or removed without the appropriate permission being sought in advance from Gravesham Borough Council. It will also comment on applications for work on trees as it feels appropriate. Residents are not permitted to carry out any work on Parish trees.

**Covenant 4** - Damage to, or obstruction of, footpaths & roads.

The Parish Council will take appropriate action, including involvement of the Borough Council under fly-tipping regulations.

**Covenant 5** - Maintenance of paintwork and general building condition.

The Parish Council will take appropriate action, including involvement of Gravesham Borough Council.

**Covenant 6** - Payment for maintenance of community areas. This Covenant no longer applies as the Parish Council sets an annual precept that is collected within the Council Tax for each property.