ARTICLE 4(2) DIRECTION
TOWN & COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 1995

KETTERING BOROUGH COUNCIL

Direction under Article 4(2) of the General Permitted Development Order 1995 restricting Permitted Development

1. Kettering Borough Council ("the Authority") is the local planning authority in respect of the area of land specified in this Direction.

2. The Authority is satisfied that it is expedient that the development described in Schedule 2 to the Town and Country (General Permitted Development) Order 1995 ("the Order") and specified in this Direction should not be carried out unless planning permission is granted for it on an application to the Authority.

NOW THEREFORE the Authority in pursuance of Article 4 of the Order and all other powers thereby enabling

DIRECTS THAT

1. The permission granted by article 3 of the Order shall not apply to development specified in the First schedule to this Direction in the area specified in the Second Schedule to this Direction ("the Land").

2. THIS DIRECTION is made under Article 4(2) of the said Order and shall expire at the end of six months from the date upon which it is made, unless confirmed by the Local Planning Authority.

3. The Direction shall, in accordance with article 6(3) of the Order, come into force in respect of any part of the Land on the date on which notice of the making of the Direction is served on the occupier of that part of the Land or, if there is no occupier, the owner.

4. If the Authority consider that individual service on the owners or occupiers of the Land is impracticable because the number of the them makes such service impracticable or because it is difficult to identify or locate one or more of them, the Authority shall publish a notice of making of the Direction in a newspaper circulating in the locality in which the Land is situated and, in accordance with article 6(4) of the Order, the Direction shall come into effect on the date on which the notice is first published.
First Schedule

The erection, construction, maintenance, improvement or alteration of any means of enclosure which forms the boundary to the property being development comprised within Class A of Part 2 of Schedule 2 to the said Order and not being development comprised in any other class.

Second Schedule

Land and buildings situated and known as Griffin House, 5 Newlands Street, Braybrooke in the County of Northamptonshire and shown on the attached plan for identification purposes and thereon edged in red.

Given under the Common Seal of Kettering Borough Council this fifth day of September two thousand and nine.

The Common Seal of the Council was affixed to this direction in the presence of:-

[Signature]

Head of Legal Services/Principle Legal Officer (Proper Officer for this purpose)
Article 4(2) Direction

Cedar Lodge, 5 Newland Street, Braybrooke, Market Harborough,
Northamptonshire, LE16 8LW

Statement of Justification

This area of Braybrooke conservation area is characterised by its open spaces within the centre of the village. These important open spaces are clearly visible from the public highway and provide a tangible, visual link with the village’s rural historic character.

The paddock to the rear of Cedar Lodge is the remnants of the land associated with Rectory Farm which once stood on Newland Street (now replaced with 7-17 Newland Street). Given the historic importance of the agricultural tradition within the village, physically expressed by these open spaces in the Village and the link to one of the historic farms the means of enclosure of this land is of utmost importance in terms of preserving this character.

The views across the site are also of importance, as is the view south along Griffin Road (identified in the Conservation Area Appraisal as an important view). The views across the site look over open paddocks and towards woodland which marks the path of the river Jordan across the land. These views are not only have aesthetically pleasing amenity value as before they present a tangible link with the agricultural character and past of the village.

Currently the site is bordered by a number of styles of fencing including post and rail, both timber and metal, timber post and metal link fence and metal railings. These styles of fencing are clearly agricultural in character and retain the views across the site.

Conclusion
The erection of a replacement boundary treatment with a form of more domestic style boundary treatment would neither preserve nor enhance the conservation area and would result in the loss of the identified character of this area. These restrictions are considered reasonable to enable the proper planning of this area and protect it’s amenity given the importance of the views and historic character of the area as outline above.