

KETTERING BOROUGH COUNCIL

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN & COUNTRY PLANNING ACT 1990
(AS AMENDED BY THE PLANNING & COMPENSATION ACT 1991)

EN.01.0318

ENFORCEMENT NOTICE (3)

ISSUED BY: KETTERING BOROUGH COUNCIL of Municipal Offices, Bowling Green Road, Kettering in the County of Northampton

1. THIS IS A FORMAL NOTICE which is issued by the Council because it appears to them that there have been breaches of planning control, under Section 171A(1)(a) of the above Act, at the land described below. They consider that it is expedient to issue this Notice, having regard to the provisions of the Development Plan and to other material planning considerations.

2. THE LAND AFFECTED

Land situated at Braybrooke Road, Braybrooke, in the County of Northamptonshire as is shown for the purposes of identification only on the attached plan and edged in red.

3. THE BREACH OF PLANNING CONTROL ALLEGED

Without the benefit of planning permission, change of use of agricultural land to a use for the keeping of horses together with associated equipment and the erection of buildings on the land as part of the unauthorised change of use.

4. REASONS FOR ISSUING THIS NOTICE

It appears to the Council that the breach of planning control has occurred within the last ten years. The use of the land for the keeping of horses together with associated equipment and the erection of buildings on the land is visually intrusive, incongruous and inappropriate to the character and appearance of the countryside and the Special Landscape Area and is contrary to the aims and objectives of the following policies of the Local Plan for Kettering Borough (the Development Plan):

Policy 7 (Environment: Protection of the Open Countryside) states that planning permission for development within the open countryside will not be granted except where otherwise provided for in the plan.

Policy 9 (Environment: Special Landscape Areas) presumes against development which would have an adverse impact on the character and amenity of the Special Landscape Areas of the Borough.

Policy 30 (Environment: New Development) states that proposals for development, including changes of use, will be granted planning permission where the character of the development is appropriate in terms of type and scale, and there is no adverse impact on the character or amenity of the area or the countryside.

Policy 97 (Leisure: Footpaths and Bridleways) states that planning permission will be granted for development proposals which enhance existing rights of way or retain them on their original or acceptable alternative routes.

5. WHAT YOU ARE REQUIRED TO DO

The steps required to remedy the breach of planning control are:

- (1) Cease the use of the land for the keeping of horses.
Time for compliance: two months from the date this Notice takes effect
- (2) Remove from the land all buildings, vehicles, machinery and equipment and personal items brought onto the land in connection with the unauthorised use.
Time for compliance: two months from the date this Notice takes effect.

6. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 14 September 2001 unless an appeal is made against it beforehand.

DATED: 2 August 2001

Signed



Head of Legal Services
(Proper officer for this Purpose)

Kettering Borough Council
Municipal Offices
Bowling Green Road
KETTERING
Northants NN15 7QX

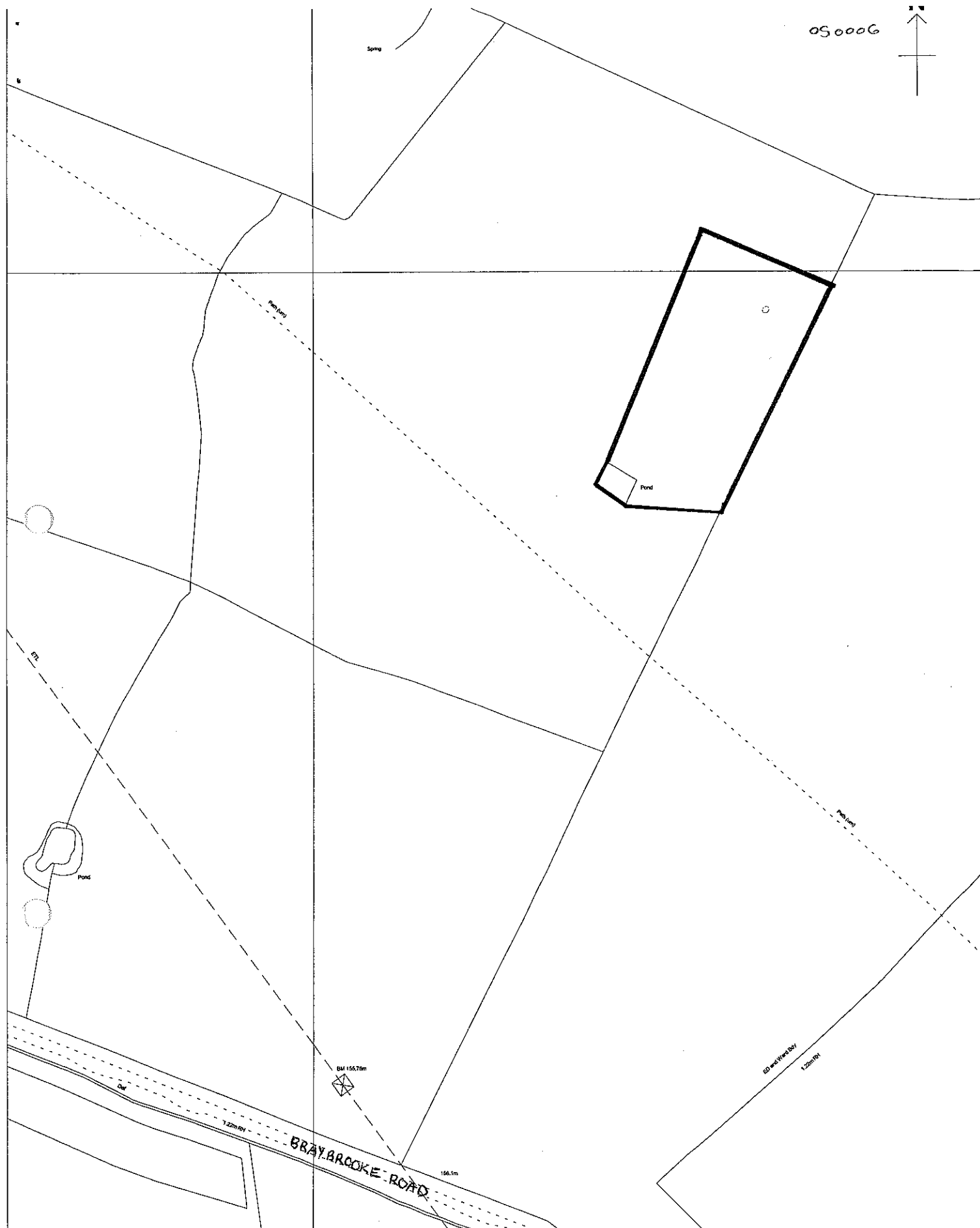
ANNEX

YOUR RIGHT OF APPEAL

You can appeal against this Notice but any appeal must be received, or posted in time to be received, by the Secretary of State before 14 September 2001. The enclosed booklet "Enforcement Notice Appeals - A Guide to Procedure" sets out your rights. Read it carefully. You may use the enclosed appeal forms. One is for you to send to the Secretary of State if you decide to appeal. The other is for you to keep as a duplicate for your own records. You should also send the Secretary of State the spare copy of this Enforcement Notice which is enclosed.

WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this Enforcement Notice, it will take effect on 14 September 2001 and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the period specified in the Notice. Failure to comply with an Enforcement Notice which has taken effect can result in prosecution and/or remedial action by the Council.



Title

EN/01/0318 (3)

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Kettering
Borough Council

Date: 01:08:01

Scale: 1:2500

Drawn by: T Shields