

**KETTERING BOROUGH COUNCIL**

**IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY**

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

EN.01.0440

**ENFORCEMENT NOTICE**

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 2 Wales Street, Rothwell, Northamptonshire, as is shown for the purposes of identification only on the attached plan edged in red.

3. THE BREACH OF PLANNING CONTROL ALLEGED

Without planning permission, alterations to former shop premises including:

- (i) replacement roof at raised level,
- (ii) insertion of windows, doors and roof-lights,
- (iii) erection of two chimneys and
- (iv) the re-building of walls incorporating new materials.

4. REASONS FOR ISSUING THIS NOTICE

It appears to the Council that the breach of planning control has occurred within the last four years. The extant consent (KE/99/0472), which gave permission for the conversion of the building to residential use, included a number of conditions requiring written approval of the materials and methods of construction used, prior to commencement of development. These conditions were not discharged and the whole development is unauthorised. The quality and form of the actual works and some of the materials used fall far below the standard that would have been required to successfully discharge these conditions.

It is considered that the unauthorised works, taken as a whole, have resulted in very serious damage to the character, appearance, and historic value of the listed building,

and impact harmfully upon the character and appearance of the conservation area and the visual amenity of occupiers of nearby properties. It is also considered that if the unauthorised works were allowed to remain, the integrity of the listed building's historic character and appearance would be substantially and permanently destroyed, and would result in an undesirable precedent in respect of the Authority's statutory duty to preserve listed buildings. As such, the development is contrary to the following policies of the Local Plan for Kettering Borough and the Northamptonshire County Structure Plan 1996 - 2016:

Policy 22 (Environment: Development in Conservation Areas) of the Local Plan for Kettering Borough seeks to ensure that development within Conservation Areas is sympathetically designed to reflect the statutory duty of preserving or enhancing the character and appearance of those areas.

Policy 24 (Environment: Listed Buildings) of the Local Plan for Kettering Borough, inter alia, reflects the statutory duty of the local planning authority to secure a form and quality of development in keeping with the external appearance, the character, historic interest and the setting of listed buildings

Policy 30 (Environment: New Development) of the Local Plan for Kettering Borough seeks to ensure that the character of new development, including alterations, extensions, and demolition, is appropriate in terms of type, scale, layout, density, and design, and that there is no adverse impact on the character of the area and/or the amenities of existing or proposed nearby properties.

Policy 35 (Housing: Within Towns) of the Local Plan for Kettering Borough states that planning permission will normally be granted for proposals for residential development within the towns, defined by the Town Inset boundaries shown on the Proposals Map, where the proposal is compatible with other policies and proposals in the Local Plan.

Policy 45 (Housing: Conversion of Non-Residential Property) of the Local Plan for Kettering Borough supports the conversion of redundant factory buildings and other non-residential buildings to residential use where the relationship to neighboring properties is acceptable and an appropriate quality of development is provided.

Policy GS5 (General Strategy: Design) of the Northamptonshire County Structure Plan states that in order to promote high quality design all proposals will have regard to the visual appearance of the development in the context of the defining characteristics of the local area.

Policy AR6 (Environmental Assets and Natural Resources: Cultural Heritage) of the Northamptonshire County Structure Plan states that development proposals affecting the character, appearance or setting of conservation areas and/or the architectural or historic interest of listed buildings or their settings, will be required to demonstrate that such assets will be conserved and, where appropriate, enhanced.

## 5. WHAT YOU ARE REQUIRED TO DO

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

- (a) Carry out works so that the form and appearance of the finished buildings matches the detailed drawings 1, 2, 3 and 4 and the accompanying Design Schedule (drawing 5) attached to this Notice and thereby conform to the scheme

granted consent by Kettering Borough Council on 14 September 1999 under application number KE/99/0472.

Time for compliance: 12 months from the date this Notice takes effect.

6. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on **8th August 2003** unless an appeal is made against it beforehand.

DATED: 26<sup>th</sup> June 2003

Signed



Head of Development Services  
(Proper officer for this Purpose)

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

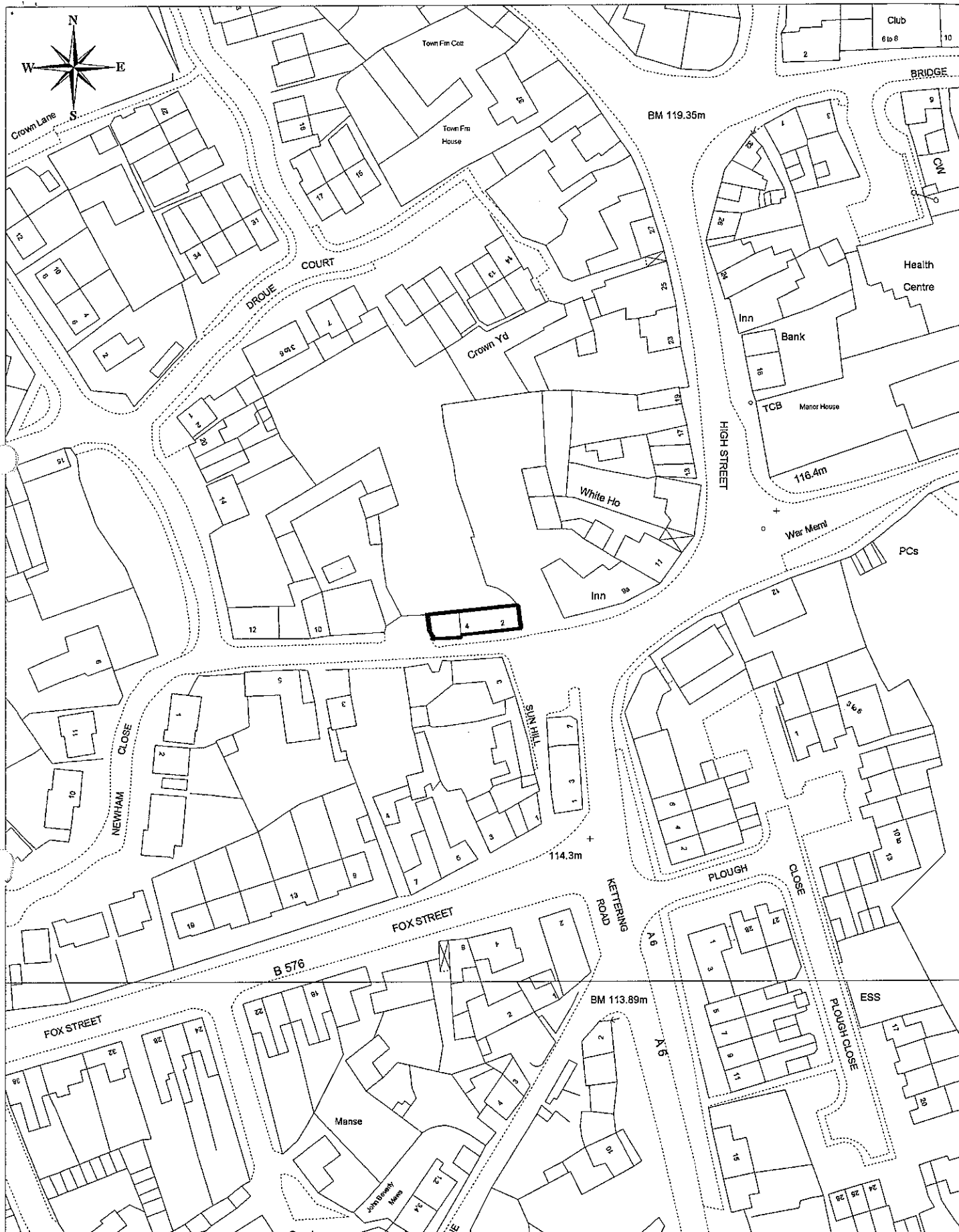
## ANNEX

### 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 **8th August 2003**. The enclosed booklet "Making Your Enforcement Appeal" 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 **8th August 2003** 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

2 Wales Street, Rothwell.

Enforcement Notice EN/01/0440

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LA078344

Date: 27/11/01

Scale: 1:1250

Drawn by: MJCH

21

new brick chimney

new brick chimney

KETTERING BOROUGH COUNCIL  
HEAD OF DEVELOPMENT CONTROL  
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990  
**APPROVED**  
TO BE READ IN CONJUNCTION WITH THE  
RELEVANT DECISION NOTICE.  
DATE 14 SEP 1999

OPENING ①

②

③

④

⑤

⑥

⑦

⑧

existing wall removed

new stonework infill to existing shop front opening

south elevation

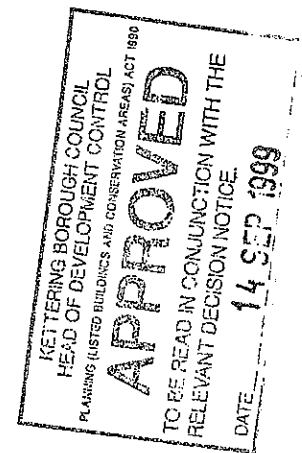
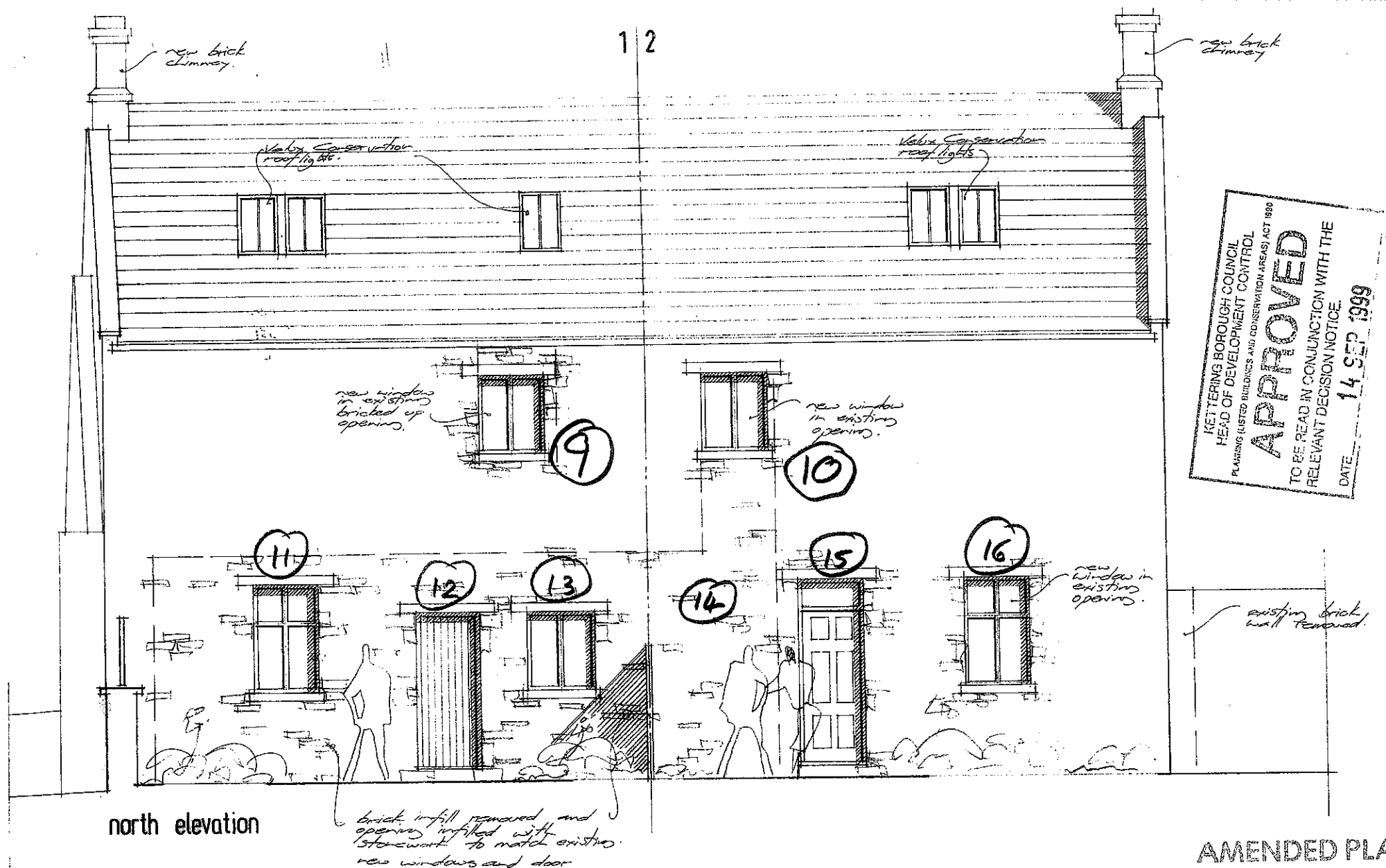
# PROPOSED CONVERSION

2 WALES STREET. ROTHWELL. NORTHANTS.

ROGER W STONE. ARCHITECT RIBA  
6 ROMAN CLOSE. WELDON. NORTHANTS.

RS/99/1019/58 **DRAWING No. 1**

TEL : 01536 200854



# PROPOSED CONVERSION

2 WALES STREET. ROTHWELL. NORTHANTS.

ROGER W STONE.  
6 ROMAN CLOSE.

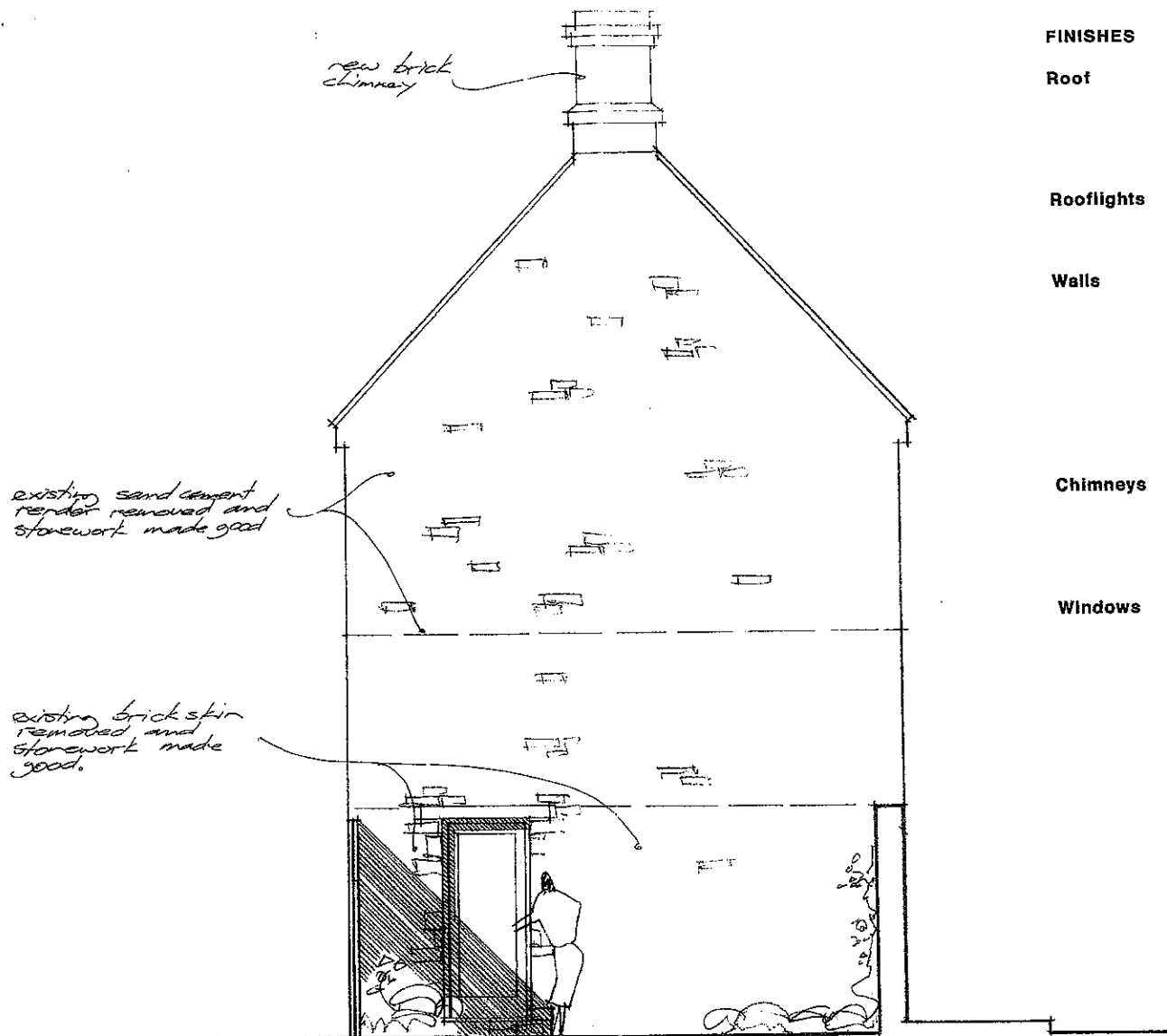
ARCHITECT RIBA  
WELDON, NORTHANTS.

AMENDED PLAN

Received 9 AUG 1999

RS/99/1019/59A **DRAWING No 2**

TEL : 01536 200854



west elevation

# PROPOSED CONVERSION

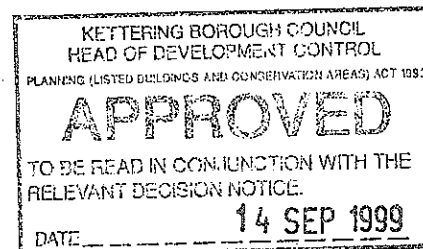
2 WALES STREET.

ROTHWELL.

NORTHANTS.

ROGER W STONE.  
6 ROMAN CLOSE.

ARCHITECT RIBA  
WELDON, NORTHANTS.



## FINISHES :

**Roof** : Existing roof structure to be repaired as necessary and recovered with existing welsh slates. Any replacement slates to match existing.

**Rooflights** : Velux Conservation rooflights, type GVT 154 0091 (560x980mm).

**Walls** : Existing stonework to be cleaned and repointed. Any defective stonework to be replaced.

Infill to existing openings to be carried out using stonework to match existing, laid coursed and pointed in the traditional manner of the area.

**Chimneys** : New chimney stacks to be constructed using reclaimed brickwork, laid coursed and pointed in the traditional manner of the area and to match former chimney stacks, if at all possible.

**Windows** : South Elevation : Existing dilapidated windows to be removed and replaced by new purpose made windows incorporating similar timber sections and window style as existing.

The new windows in the infill area of the existing shop front to be as described for the replacement windows.

North and West Elevations : New purpose made timber windows of similar section and configuration as the replacement windows on the South Elevation.

Feature lintels to be in oak or treated softwood, stained a suitable colour.

NB: All windows and door frames to be painted white or as approved.

AMENDED PLAN

Received

RS/99/1019/60A

DRAWING  
No. 3

TEL : 01536 200854



KETTERING BOROUGH COUNCIL  
HEAD OF DEVELOPMENT CONTROL  
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990  
**APPROVED**  
TO BE READ IN CONJUNCTION WITH THE  
RELEVANT DECISION NOTICE  
DATE **14 SEP 1999**



south elevation

**AS EXISTING**

2 WALES STREET.

ROTHWELL.

NORTHANTS.

ROGER W STONE  
6 ROMAN CLOSE.

ARCHITECT RIBA  
WELDON.

NORTHANTS.

RS/99/1019/53 **DRAWING No. 4**

TEL/FAX : 01536 200854

Drawing No. 5

SOUTH ELEVATION  
1:50

EAST GABLE ELEVATION 1:50

SECTION PROFILE OF STONE  
PARAPET COPING 1:2

GROUND FLOOR WINDOW  
SOUTH ELEVATION 1:10

SECTION THROUGH  
FRONT ENTRANCE DOOR  
ON PLAN 1:2

WINDOW SECTION ON PLAN 1:2

EAST ELEVATION  
GABLE EAVES PARAPET JUNCTION  
1:2

ENTRANCE DOOR SOUTH ELEVATION 1:10

VERTICAL SECTION 1:10

