

**KETTERING BOROUGH COUNCIL**

**IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY**

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

EN.03.0214 (1)

**ENFORCEMENT NOTICE**

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

1. THIS IS A FORMAL NOTICE which is issued by the Council because it appears to them that there has been a breach 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 Rushton Road, Glendon 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, the creation of a vehicular access onto a classified road including the laying of a hard surface, construction of 1.2 metre high post and rail splay fences, the erection of 2.5 metre high brick gate piers and the erection of 2.4 metre high metal gates; the gates and piers shown in the approximate position marked in green on the plan attached to the enforcement notice.

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 material widening of the access and the construction of the splay fencing to each side of the access at 1.2 metres high is acceptable. However, the 2.4 metre high metal gates and supporting 2.5 metre high brick piers are not acceptable because they are constructed in materials and of a design which are alien to the character and appearance of the agricultural field and the surrounding countryside area.

As such, the development is contrary to the following policies and adopted supplementary planning guidance of the Development Plan:-

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

Policy 30 (Environment: New Development) of the Local Plan for Kettering Borough states that proposals for development 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 of the area.

Policy GS5 (Design) of the Northamptonshire County Structure Plan states that development proposals need to promote high quality design by taking account of the visual appearance of the development in the context of the defining characteristics of the local area.

5. WHAT YOU ARE REQUIRED TO DO

The steps required for the purposes of remedying the injury to amenity resulting from the breach of planning control are:-

- (1) Take down and permanently remove from the land the metal entrance gates to the site, the supporting brick piers, and the metal supporting posts inside the brick piers.

Time for compliance: 1 month from the date this Notice takes effect.

6. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 2 August 2004 unless an appeal is made against it beforehand.

DATED: 21 June 2004

Signed



Cath Harvey  
Head of Development Services  
Kettering Borough Council  
Municipal Offices  
Bowling Green Road  
KETTERING  
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 2 August 2004. 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 2 August 2004 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

Land at Rushton Road, Glendon

EN.03.0214

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LA078344

**Kettering**  
Borough Council

Date: 20:05:04

Scale: 1:5000

Drawn by: HGW

DATED: 21 June 2004

Signed



Cath Harvey  
Head of Development Services  
Kettering Borough Council  
Municipal Offices  
Bowling Green Road  
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