

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 (2)

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 carrying out of engineering operations to the land to create a series of earthworks in the form of dips and jumps as part of a motor cycle scrambling circuit; shown for identification purposes only 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 earthworks are overtly man-made features which are incongruous and intrusive elements in this location, and as such destroy the natural appearance, character and amenity of the 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, 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 of the area.

Policy 93 (Leisure: Noisy Sports) states that planning permission for proposals for facilities for motorcycle scrambling will be granted where no significant adverse impact would arise from its location in relation to existing settlements; there is no significant adverse impact on the amenity of residents and on the amenity, character and nature conservation value of the locality; and there is no significant adverse impact on other uses in the vicinity or within the site.

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) De-construct down to the adjacent natural ground level all of the mounds (jumps) created on the land, and permanently remove all resulting materials from the land.

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

- (2) In-fill all of the excavations (dips) created on the land with subsoil, and finish with top-soil to the adjacent natural ground level.

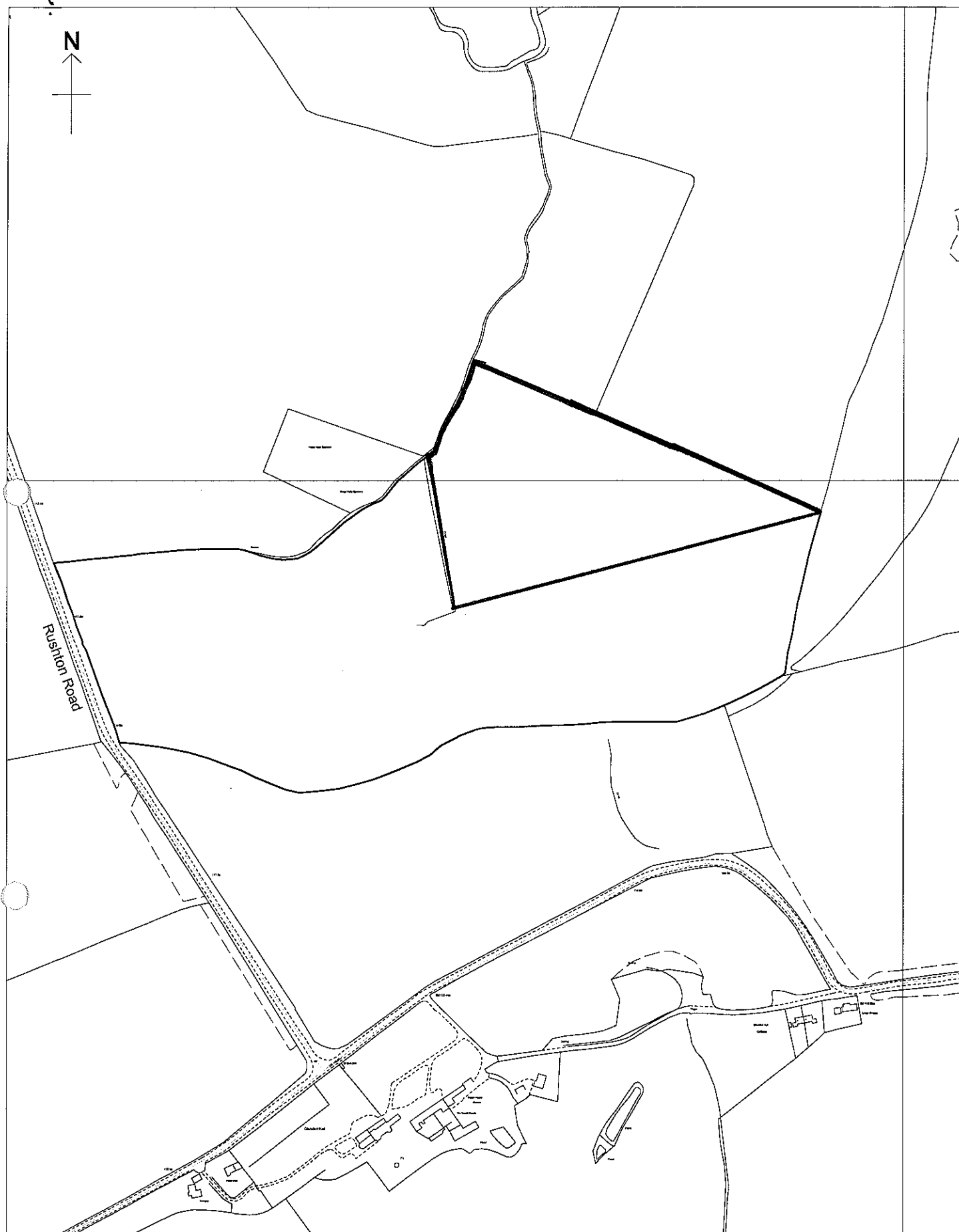
Time for compliance: 1 month from the date this Notice takes effect

- (3) Following the completion of steps 1 and 2 above; sow the remediated areas with grass seed to restore the land to its former condition.

Time for compliance: 3 months 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.



Title

Land at Rushton Road, Glendon

EN.03.0214

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Kettering
Borough Council

Date: 21:06:04

Scale: 1:5000

Drawn by: HGW