

NORTHAMPTONSHIRE COUNTY COUNCIL**TOWN AND COUNTRY PLANNING ACT 1971 (as amended)****ENFORCEMENT NOTICE**

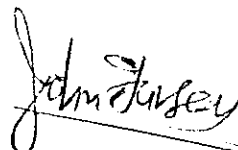
Land, Part O.S. Field Number 0002, South of Storefield Lodge, Rushton

WHEREAS:-

- (1) It appears to the Northamptonshire County Council ("the County Council") being the local planning authority for the purposes of section 87 of the Town and Country Planning Act 1971 ("The Act") in this matter, that there has been a breach of planning control after the end of 1963 on the land or premises ("the land") described in Schedule 1 below.
- (2) The breach of planning control which appears to have taken place consists of the carrying out of development by the making of a material change of use of the land as described in Schedule 2 below without the grant of planning permission required for the development.
- (3) The County Council considers it expedient having regard to the provisions of the Development Plan and to all other material considerations, to issue this enforcement notice, in exercise of its powers contained in the said section 87 for the reasons set out in the annex to this notice.

NOTICE IS HEREBY GIVEN that the County Council requires that the steps specified in Schedule 3 below be taken in order to remedy the breach within the specified period in respect of each step in that Schedule.

THIS NOTICE SHALL TAKE EFFECT subject to the provisions of section 88 of the Act on 29 December 1988



County Secretary

(the officer authorised for this purpose)

Issued 22 November 1988

County Hall
NORTHAMPTON

Ref. P.1/J96

ANNEX

STATEMENT OF REASONS FOR ISSUE OF ENFORCEMENT NOTICE

The County Council consider it expedient to issue the enforcement notice for the following reasons:-

1. No planning permission exists for the deposit of waste material on this site, which prior to the tipping was an agricultural field.
2. The disposition of the waste materials on the land has created a feature in the landscape which is injurious to visual amenity and the disposal in the manner in which it has been carried out is therefore unacceptable in the terms of Policy U4 of the Approved County Structure Plan.
3. The deposit is also contrary to Policy WD1 of the Replacement County Structure Plan, which provides that disposal of waste will generally be by means of landfill and not on to agricultural land and contrary to Policy WD3 of the Replacement County Structure Plan, which provides that proposals for tipping on to agricultural land will generally not be permitted.
4. The County Council is opposed to the uncontrolled and haphazard disposal of waste materials on unauthorised sites. The disposal of waste materials in this manner frequently causes injury to local amenity and risk to the environment and in addition is detrimental to the proper administration of planning and site licensing control over waste disposal sites which requires prior public advertisement of such proposals, consultation with several bodies including the Water Authority in the interests of public health and protection of water supplies and, where a site is considered acceptable for waste disposal, the imposition of suitable conditions for the purpose of securing proper control of tipping operations and adequate restoration after tipping.

SCHEDULE 1

Land or premises to which this notice relates

Land comprising part O.S. Field Number 0002, west of A6003 Road, south of Storefield Lodge, in the Parish of Rushton, as shown edged red on the attached plan ("the land").

SCHEDULE 2

Alleged breach of planning control

The making of a material change in the use of the land by the deposit of waste materials thereon.

SCHEDULE 3

**Steps required to remedy the breach of planning control,
to alleviate the injury to amenity which has been caused
by the development and to modify the contour of the deposit**

1. Within the period of 1 (one) day from the date on which this notice takes effect, discontinue the deposit of waste materials on the land.
2. Within the period of 28 (twenty-eight) days from the date on which this notice takes effect:-
 - (i) firstly transfer the large mound of mixed rubble material deposited on the land into the ironstone gullet on the land and spread the same to an approximately uniform level over the whole of the floor area of the gullet
 - (ii) secondly transfer into the ironstone gullet on the land such of the soil-like material deposited on the land as is necessary to cover the whole of the material referred to in (i) above to levels conforming approximately with those of the land adjacent to the sides of the gullet with natural drainage to the ditch on the north side of the gullet
 - (iii) remove from the land any deposited waste material in excess of that required to carry out the steps referred to in (i) and (ii) above.

