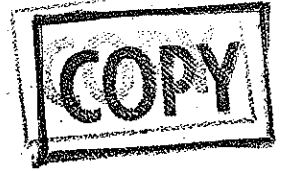


BREACH OF CONDITION NOTICE**IMPORTANT: THIS COMMUNICATION AFFECTS
YOUR PROPERTY**

**TOWN AND COUNTRY PLANNING ACT 1990 (as amended by the
Planning and Compensation Act 1991)**

Issued by: Northamptonshire County Council

1. **This is a formal notice which is issued by the Council, under section 187A of the above Act, because they consider that Conditions imposed on a grant of planning permission, relating to the land described below, have not been complied with. They consider that you should be required to comply with the condition(s) specified in this notice.**

2. **THE LAND AFFECTED BY THE NOTICE**

The land at Rushton, shown edged in red on the attached plan.

3. **THE RELEVANT PLANNING PERMISSION**

The relevant planning permission to which this notice relates is the permission KE/91/679C granted by the Council on 21st February 1992 for the tipping of inert waste to achieve agricultural improvement.

4. **THE BREACH OF CONDITION**

The following condition(s) have not been complied with:-

- Condition 5. The tipped material shall be spread over the land to give an even surface. The ground shall be ripped (rooted) during suitable dry weather conditions and any stones or other objects shall be buried to a depth of not less than one metre all to the satisfaction of the County Planning Authority.
- Condition 6. Except as may otherwise be agreed in writing by the County Planning Authority as soon as all levelling and preparation works are complete, the site shall be prepared and sown with a suitable grass seed mixture to establish a long term ley, all to the satisfaction of the County Planning Authority.
- Condition 7. Upon completion of restoration and landscaping on site all plant and machinery shall be removed from the site and except as may otherwise be agreed in writing by the County Planning Authority the access onto the Rushton to Corby Road made good, to the satisfaction of the County Planning Authority. This work will include the removal of the existing gate and posts, the planting of hedgerow to reinstate the gap in the hedge line and the reinstatement/repair of the highway verge and kerbing.

Condition 8.

Except as may otherwise be agreed in writing by the County Planning Authority within 3 months of the date of this permission a landscaping scheme shall be submitted to the County Planning Authority. The scheme shall provide for the planting of trees and shrubs and shall include details of their number, size and species. The scheme as may be approved by the Authority shall incorporate such modifications or additions as the Authority may require. The applicants attention is drawn to Note 1 at the end of this planning permission.

Condition 9.

The implementation of the landscaping scheme referred to in condition 8 shall be completed to the satisfaction of the Authority by the end of the first planting season following its approval.

Condition 10

The development hereby permitted shall cease not later than 31st August 1992 (Nineteen Hundred and Ninety Two) and the land shall be restored or reinstated in accordance with the conditions of this planning permission.

Note 1: attached to planning permission KE/91/679C reads:-

The landscaping scheme shall be in accordance with the attached guidelines for planting in Northamptonshire.

(A copy of the guidelines concerned are attached to this document).

5. WHAT YOU ARE REQUIRED TO DO

As the person responsible for the breach(es) of condition specified in paragraph 4 of this notice, you are required to comply with the stated conditions by taking the following steps:-

- (a) The tipped material should be spread over the land to give an even surface. The ground shall be ripped (rooted) during suitable dry weather conditions and any stones or other objects likely to interfere with final restoration shall be picked and buried to a depth of not less than one metre.
- (b) The site shall be prepared and sown with suitable grass seed mixture to establish a long term ley, all to the satisfaction of the County Planning Authority.
- (c) The access onto the Rushton to Corby Road shall be returned to the condition of an agricultural access, to the satisfaction of the County Planning Authority. This work shall include the removal of the existing gate and posts, their replacement with an 18 foot gate of agricultural type, the planting of hedgerow to reinstate any gaps in the hedgeline and the reinstatement/repair of the highway verge and kerbing.
- (d) A landscaping scheme shall be submitted to the County Planning Authority. The scheme shall provide for the planting of trees and shrubs along the frontage of the site and shall include details of their numbers, size and species. The scheme, as may be approved by the Authority shall incorporate such modifications or additions as the Authority may require.
- (e) The implementation of the landscaping scheme referred to in (d) above shall be completed to the satisfaction of the Authority by the end of the first planting season following its approval.

Time for compliance: 60 days in respect of paragraph 5 (d) beginning with the day on which this notice is served on you and by the end of May 1994 in respect of paragraphs 5 (a), (b), (c) and (e).

6. **WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect immediately it is served on you or you receive it by postal delivery.

Dated: 23rd November 1993

Signed: Tony Parker (Head of Legal Services)

On behalf of: Director of Planning and Transportation
Northamptonshire County Council
Northampton House
Northampton NN1 2HZ

WARNING

THERE IS NO RIGHT OF APPEAL AGAINST THIS NOTICE.

It is an offence to contravene the requirements stated in paragraph 5 of this notice after the end of the compliance period. You will then be at risk of immediate prosecution in the Magistrates' Court, for which the maximum penalty is £1000.00 for a first offence and for any subsequent offence. If you are in any doubt about what this notice requires you to do, you should get in touch immediately with Wayne Cattell, Northamptonshire County Council, Northampton House, Wellington Street, Northampton NN1 2HZ (telephone (0604) 236733).

If you need independent advice about this notice, you are advised to contact urgently a lawyer, planning consultant or other professional adviser specialising in planning matters. If you wish to contest the validity of the notice, you may only do so by an application to the High Court for judicial review. A lawyer will advise you on what this procedure involves.

DO NOT LEAVE YOUR RESPONSE TO THE LAST MINUTE.