

K E T T E R I N G B O R O U G H C O U N C I LIMPORTANT : THIS COMMUNICATION AFFECTS YOUR PROPERTYTOWN AND COUNTRY PLANNING ACT 1990
(as amended by the Planning and Compensation Act 1991)**BREACH OF CONDITION NOTICE**

Issued by: KETTERING BOROUGH COUNCIL

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1. THIS IS A FORMAL NOTICE which is issued by the Council, under Section 187A of the above Act, because it considers that conditions imposed on a grant of planning permission, relating to the land described below have not been complied with. The Council considers that you should be required to comply with that condition specified in this Notice.

2. THE LAND AFFECTED BY THE NOTICE

Land and premises situate in Rothwell in the said County of Northampton being known as Number 14 Wales Street as is shown edged red on the attached plan.

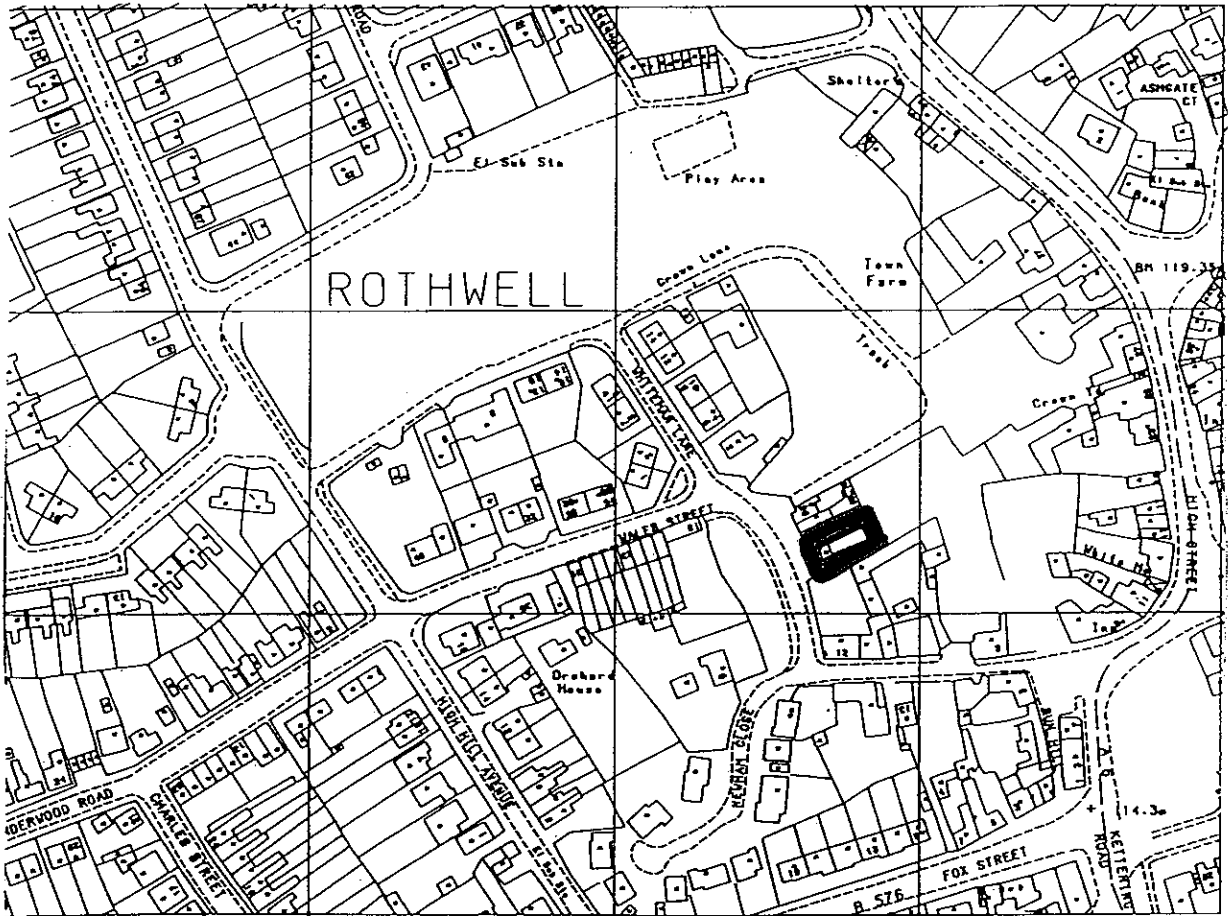
3. THE RELEVANT PLANNING PERMISSION

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The relevant planning permission to which this Notice relates is the permission granted by an Inspector appointed by the Secretary of State for the Environment under reference T/APP/C/93/L2820/626485 in respect of an application deemed to have been made under Section 177(5) of the Town and Country Planning Act 1990. Planning permission was granted by the Inspector for:-

"the retention of a storage cabin on land at the rear of No. 14 Wales Street, Rothwell without compliance with condition 01 subject to which planning permission was granted on 21st May, 1991 (reference number KE/91/0241) but otherwise subject to the conditions set out in that permission and subject to the following additional conditions:-

1. Within one month of the date of this letter there shall be submitted to the Local Planning Authority for their approval a scheme for cladding the external faces of the four walls of the storage cabin with timber and for the construction over the storage cabin of a timber pitched roof covered with felt. The scheme shall include details of the design and external appearance of the cladding and the roof including details of the staining to be applied to the timber and the colour of the felt.



00 200 300 400 S

NORTH:



SCALE: 1/1250

TITLE: 14, WALES STREET.
ROTHWELL.
N. KETTERING.

'Reproduced from the 1991 Ordnance Survey
1/1250 map with the permission of the
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Council, Municipal Offices, Kettering.
LICENCE No. LA 078344 Date 28/8/92

2. All work comprised in the approved scheme of cladding and roofing shall be carried out within the period of two months following the date of approval of the scheme.
3. If any of the requirements of conditions 1 and 2 above are not complied with the storage cabin shall be removed within one month from the date upon which there is a failure to comply."

4. THE BREACH OF CONDITION

It appears to the Council that conditions numbered 2 and 3 imposed by the Inspector have not been complied with. Details of the required cladding were submitted and approved by the Council on 17th November 1993 in accordance with condition 1. However, the approved cladding works were not carried out within two months of that date (17th January 1994) as required by condition 2. Furthermore, the site was inspected on 25th February 1994 when it was apparent that the storage cabin remained on site although condition 3 required its removal within one month of failure to comply with the requirements of condition 2. The Council considers that the storage cabin should have been removed prior to 18th February 1994.

5. WHAT YOU ARE REQUIRED TO DO

As the person responsible for the breach of condition specified in paragraph 4 of this Notice you are required to comply with the stated condition by taking the following steps:-

Remove the storage cabin from the site and restore the affected land to its condition prior to the erection of the cabin.

Time for compliance: 56 days beginning with the day on which this Notice is served on you.

6. WHEN THIS NOTICE TAKES EFFECT

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

Dated ... 29th April 1994

Signed 

BOROUGH SOLICITOR

On behalf of: KETTERING BOROUGH COUNCIL
Municipal Offices
Bowling Green Road
KETTERING
Northants
NN15 7QX

Telephone Kettering 410333, extension 293

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 £1,000 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 immediately contact the Council's Principal Legal Officer, Mr. G.A. Duthie.

If you need independent advice about this Notice, you are advised to contact urgently a Solicitor, 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 Solicitor will advise you on what this procedure involves.

DO NOT LEAVE YOUR RESPONSE TO THE LAST MOMENT.