



The Planning Inspectorate

An Executive Agency in the Department of the Environment and the Welsh Office

Room 11/11(4)
Tollgate House
Houlton Street
Bristol BS2 9DJ

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Mr & Mrs P A Ginns
"Laurel-Leys"
9 Leys Avenue
Rothwell
Northants
NN14 6JE

Your Ref:

Our Ref:

APP/C/95/L2820/637289
APP/C/95/L2820/637290

Date: 18 April 1995

Dear Sir/Madam

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) - SECTION 174
APPEAL BY YOURSELVES
LAND AT 9 LEYS AVENUE, ROTHWELL, NORTHANTS.

1. I refer to the above-mentioned appeal against an enforcement notice served by Kettering Borough Council.
2. In exercise of the power in section 173A(1)(a) of the Act, the Council have withdrawn the enforcement notice and it is understood you have been notified accordingly. The Secretary of State will therefore take no further action on the appeal.
3. A copy of this letter has been sent to the Council.
4. Please note that all correspondence and any queries should be addressed to the case officer.

Yours faithfully

Mrs Y Oddy

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Bristol BS2 9DJ

15 MAR 1995

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FILE

The Head of Planning Services
Kettering Borough Council
Bowling Green Road
KETTERING
NN15 7QX

Your Ref:

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Our Ref:

APP/C/95/L2820/637289

APP/C/95/L2820/637290

Date: 14 March 1995

Dear Sir

TOWN AND COUNTRY PLANNING ACT 1990
APPEAL BY MR & MRS P A GINNS
LAND AT 9 LEYS AVENUE, ROTHWELL, NORTHANTS.

I refer to the appeal by Mr and Mrs P A Ginns against the Council's enforcement notice issued on 31 January 1995, relating to the following alleged breach of planning control.

" the erection of a wooden fence on the south-east boundary of the affected land exceeding two metres above the natural ground level".

The Department understands that planning permission was granted on 13 March 1995 by a planning Inspector on appeal for development of the land to which the enforcement notice relates, in the following terms:-

" for the retention of a garden fence at 'Laurel-Leys', 9 Leys Avenue, Rothwell in accordance with the terms of the application (No KE/94/0393), dated 4 July 1994, and the plans submitted therewith".

In the Department's preliminary view, the effect of this grant of permission is that, by virtue of the provisions of section 180 of the 1990 Act, the steps required by the enforcement notice have now ceased to have effect because the breach of control alleged in the notice is authorised by the grant of permission.

Accordingly, since no useful purpose would be served by proceeding to a decision in this appeal, the Council are now invited to withdraw the enforcement notice forthwith (as provided by section 172(7) of the 1990 Act). I should be grateful if you would inform me, within 14 days of the date of this letter, that the enforcement notice is being withdrawn. Alternatively, if the Council decide not to withdraw the notice, I should be grateful if you would inform me of their reasons for not withdrawing it, again within 14 days of the date of this letter.

A copy of this letter is being sent to the appellant's agent.

Yours faithfully



Mrs Y Oddy