

KETTERING BOROUGH COUNCIL

IMPORTANT - THIS COMMUNICATIONS AFFECTS YOUR PROPERTY

TOWN & COUNTRY PLANNING ACT 1990
(AS AMENDED BY THE PLANNING & COMPENSATION ACT 1991)

ENFORCEMENT NOTICE

ISSUED BY: KETTERING BOROUGH COUNCIL of Municipal Offices, Bowling
Green Road, Kettering in the County of Northampton.

1. **THIS IS A FORMAL NOTICE** which is issued by the Council because it appears to them that there have been breaches of planning control, under Section 171(A)(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 situate at 51 Charles Street, Kettering in the County of Northampton 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 making of a material change of use of the land and buildings for the carrying out of vehicle maintenance and repair activities.

4. **REASONS FOR ISSUING THIS NOTICE**

It appears to the Council that this breach of planning control has occurred within the last 10 years, and:

Policy 47 (Housing: Residential Amenity) of the Local Plan for Kettering Borough states that planning permission will not normally be granted for proposals for development where they would have a significant adverse impact on the amenities of adjacent residential properties, resulting in an increase in noise, dirt, dust, smoke, smell and other emissions.

Policy 58 (Employment: Within Towns) of the Local Plan for Kettering Borough states a presumption in favour of industrial or commercial development on areas of land within the Town Inset Boundaries which are already predominantly industrial or commercial in character. Correspondingly, there is a presumption against such development in residential areas that result in a significant adverse effect on the amenity, the environment or the surrounding highway network.

5. WHAT YOU ARE REQUIRED TO DO

The steps required to remedy the breach of planning control are:

- (a) Cease using the land for the maintenance and repair of vehicles.
Time for compliance: 3 months from the date this notice takes effect.
- (b) Remove all vehicles and vehicle parts brought onto the land in connection with the maintenance and repair business.
Time for compliance: 3 months from the date this notice takes effect.

6. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 6th August 1998 unless an appeal is made against it beforehand.

DATED: 29th June 1998

Signed 

Head of Legal Services
(Proper Officer for this Purpose)

Kettering Borough Council
Municipal Offices
Bowling Green Road
KETTERING
Northants
NN15 7QX



Title:
 Enforcement Notice Town and Country
 Planning Act 1990 (as amended)
 51, Charles Street Kettering
 EN/97/0257

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Scale:
 1:1250

North: 

LA078344

Date:
 26/06/98

Drawn by:
 JSW

Kettering
 Borough Council

ANNEX

YOUR RIGHT OF APPEAL

You can appeal against this Notice but any appeal must be received, or posted in time to be received, by the Secretary of State before 6th August 1998. The enclosed booklet "Enforcement Notice Appeals - A Guide to Procedure" sets out your rights. Read it carefully. You may use the enclosed appeal forms. One is for you to send to the Secretary of State if you decide to appeal. The other is for you to keep as a duplicate for your own records. You should also send the Secretary of State the spare copy of this Enforcement Notice which is enclosed.

WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this Enforcement Notice, it will take effect on 6th August 1998 and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the period specified in the Notice. Failure to comply with an Enforcement Notice which has taken effect can result in prosecution and/or remedial action by the Council.