

KETTERING BOROUGH COUNCIL

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

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

ENFORCEMENT NOTICE

EN.97.0306

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 171A(1)(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 Wycombe House, Lodge Lane, Rothwell Road, Desborough in the County of Northamptonshire as is shown for the purposes of identification only on the attached plan A and edged in red.

3. **THE BREACH OF PLANNING CONTROL ALLEGED**

Without the benefit of planning permission, the material change of use of an agricultural building into a dwelling house, following the carrying out of building works which do not accord with a grant of planning permission obtained in contemplation of the same.

4. **REASONS FOR ISSUING THIS NOTICE**

It appears to the Council that this breach of planning control has occurred within the last four years, and is contrary to the following policies of the Local Plan for Kettering Borough:

POLICY 7 (Environment: Protection of the Open Countryside) which provides planning permission for development within the open countryside will not be granted except where otherwise provided for in this plan.

POLICY RA5 (Rural Area: Housing in the Open Countryside) which presumes against new residential development in the open countryside unless exceptional circumstances, such as demonstrable agricultural need or the reuse / conversion of a suitable building (Policy RA14) are proven.

POLICY RA14 (Rural Area: Reuse and Conversion of Rural Buildings) which presumes in favour of the conversion of redundant rural buildings within the open countryside where, inter alia, the buildings are physically suitable for conversion to the proposed use without extensive

alteration, rebuilding or extension; conversion will not have a detrimental effect on the character of the building; extensions are small and alterations are in keeping with the original design.

POLICY 84 (Transportation: New Development Access and Layout Considerations) which provides that planning permission for certain proposals will be granted only where a standard for certain criteria are adopted.

The Council issued planning permission for conversion of an agricultural building on the affected land into a dwelling house under the Councils reference KE/89/0735. The conversion works undertaken and now subject of this notice do not comply with the approved plans or submitted details associated with planning permission KE/89/0735 and further, the design and materials employed are considered unsuitable and contrary to the Local Plan policies detailed above.

5. WHAT YOU ARE REQUIRED TO DO

The steps required to remedy the breach of planning control are set out below and accord with a grant of planning permission issued by the council under reference KE/98/0441 relating to the conversion of an agricultural building to a dwelling:

- (1) Representative samples or details of all external stone facing and slate roofing materials are to be submitted to the Local Planning Authority for approval.
Time for compliance: 1 month from the date this Notice takes effect.
- (2) Written details of a 10 metre by 3 metre hard surfaced passing bay adjacent to the access track shall be submitted to the Local Planning Authority for approval.
Time for compliance: 1 month from the date this Notice takes effect.
- (3) Details of windows, doors, timber finishes and verge details shall be submitted to the Local Planning Authority for approval
Time for compliance: 1 month from the date this Notice takes effect.
- (4) The hard surfaced 10 metre by 3 metre passing bay shall be provided adjacent to the access track in accordance with the approved details.
Time for compliance: 3 months from the date of the Local Planning Authorities written approval of the passing bay details.
- (5) The walls are to be constructed of natural local stone, coursed and pointed in the traditional manner.
Time for compliance: 12 months from the date of the Local Planning Authorities written approval of the external facing stone material.

- (6) Remove concrete roof tiles from the buildings shaded blue on the attached plan A
Time for compliance: 18 months from the date this Notice takes effect.
- (7) The roofs of the buildings shaded blue on the attached plan A are to be laid with natural slate.
Time for compliance: 12 months from the date of the Local Planning Authorities written approval of the external roofing material.
- (8) All uPVC windows and doors are to be removed and replace with wooden doors and windows approved by the Local Planning Authority
Time for compliance: 12 months from the date of the Local Planning Authorities written approval of the window and door details.
- (9) All approved timber finishes and verge details are to be incorporated into the building.
Time for compliance: 12 months from the date of the Local Planning Authorities written approval of the timber and verge details.
- (10) Alter the front elevation to the courtyard to conform to the drawings and annotations shown on Plan No. 3018.98.1B attached.
Time for compliance: 18 months from the date this Notice takes effect.
- (11) Alter the rear elevation to conform to the drawings and annotations shown on Plan No. 3018.98.1B attached.
Time for compliance: 18 months from the date this Notice takes effect.
- (12) Alter the side elevation to conform to the drawings and annotations shown on Plan No. 3018.98.1B attached.
Time for compliance: 18 months from the date this Notice takes effect.

6. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 1 April 1999 unless an appeal is made against it beforehand.

DATED: 22 February 1999

Signed



Head of Legal Services
(Proper officer for this Purpose)

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

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 **1 April 1999**. 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 **1 April 1999** 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.

