

**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.98.0390

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 The Hovel Field, Oxenden Road, Braybrooke in the County of Northamptonshire 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 creation of an area of hardstanding within the area shaded blue on the attached plan by the deposit of redundant materials.

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 the following policies of the Local Plan for Kettering Borough apply to this development:

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

**POLICY 85 (Transportation: Car Parking and Servicing for New Development)** of the Local Plan for Kettering Borough states planning permission for any new development or redevelopment will normally be granted only where adequate and satisfactory car parking, servicing and manoeuvring arrangements are provided.

The deposit of materials to create an area of hardstanding creates a visual intrusion in to the open countryside and is contrary to the above policies.

5. WHAT YOU ARE REQUIRED TO DO

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

- (a) Cease depositing material on the land.  
Time for compliance: 1 day from the date this Notice takes effect.
- (b) Take up all the deposited materials in the area shaded blue on the plan and remove them from the land  
Time for compliance: 1 month from the date this Notice takes effect.
- (c) Prepare the land within the area shaded blue and sow with grass seed.  
Time for compliance: 3 months from the date this Notice takes effect.

6. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on **20 March 1999** unless an appeal is made against it beforehand.

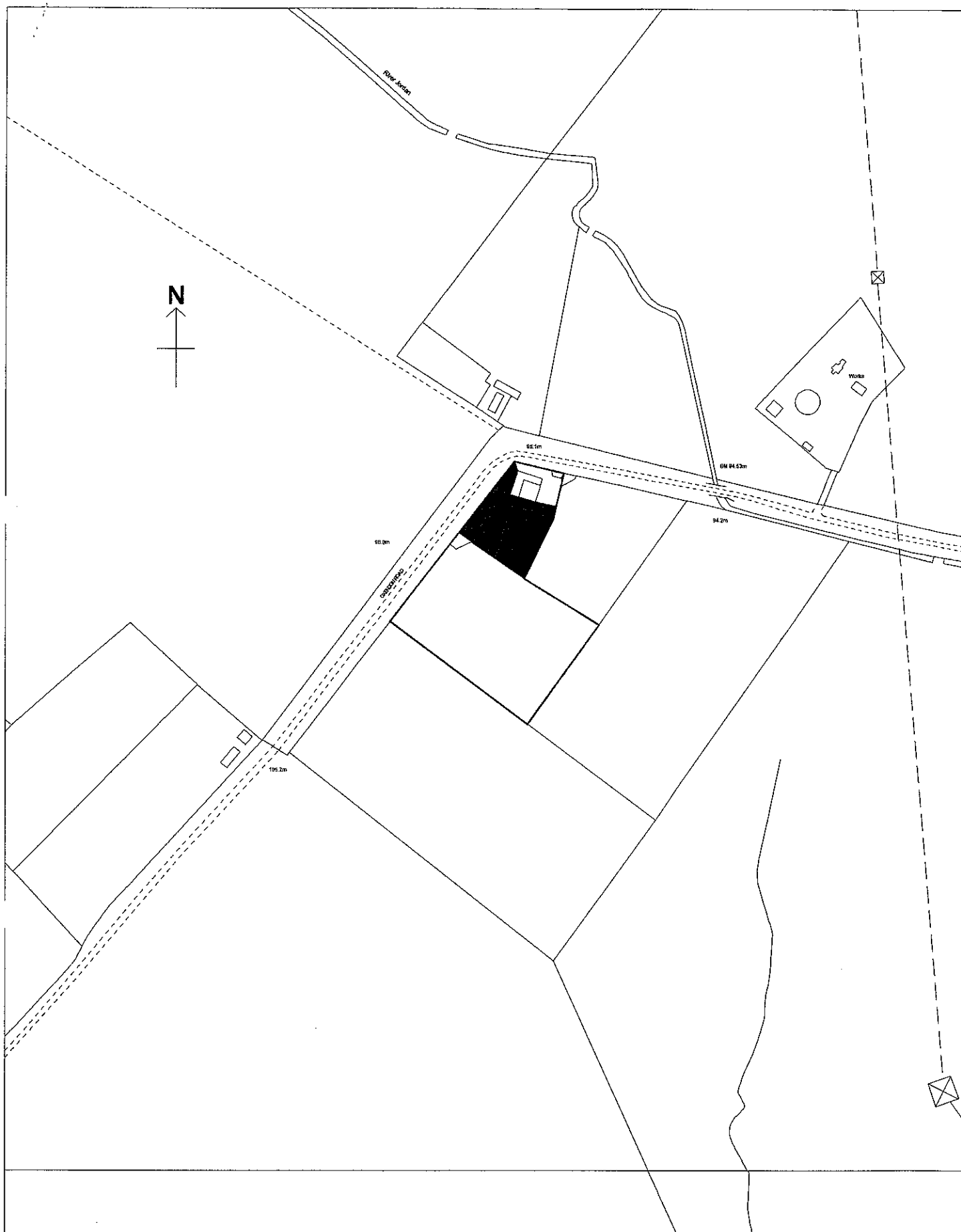
DATED: 19 February 1999

Signed



Head of Legal Services  
(Proper officer for this Purpose)

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



**Title**

**EN.98.0390 - Hovel Field, Oxenden Road, Braybrooke**  
**Enforcement Notice - Unauthorised Creation of area of Hardstanding**

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LA078344

**Kettering**  
 Borough Council

Date: 19:02:99

Scale: 1:2500

Drawn by: Drawn by:

## 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 **20 March 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 **20 March 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.

At 4.25 pm on Friday 19<sup>th</sup> February 1999,  
I David Mallan of Kettering Borough  
Council, Bowling Green Road, Kettering served  
Mr P. Holland of unknown address, and  
other interested persons with a true copy  
of this notice, by fixing to the gate.

D. Mallan 19/2/99.

**FILENOTE**

Location: The Hovel Field, Oxendon Road, Braybrooke

Date: 6 December 1999

Time: 10 am

Inspection by: T Shields, M Harvey

Other persons present: Mr P Holland

All hard core removed and topsoil laid. Tested by digging.  
Enforcement Notice complied with.  
No further action required.  
Continue to monitor

T Shields