

IMPORTANT: THIS COMMUNICATION AFFECTS YOUR PROPERTY

KETTERING BOROUGH COUNCIL

ENFORCEMENT NOTICE

**TOWN AND COUNTRY PLANNING ACT 1990
(as amended by the Planning and Compensation Act 1991)**

ISSUED BY: KETTERING BOROUGH COUNCIL

1. THIS IS A FORMAL NOTICE which is issued by the Council because it appears to them that there has been a breach 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 situated at Keepers Lodge, Storefield, Kettering 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 planning permission the change of use of land outside of the residential curtilage of the dwelling to garden land, and the construction of a summerhouse, erection of fencing, and the laying of pallets to provide a surfaced area, all carried out as part of the change of use

4. REASONS FOR ISSUING THIS NOTICE

It appears to the Council that the change of use of the land outside of the residential curtilage of the dwelling to garden land resulting in a breach of planning control has occurred within the last ten years. The change of use has resulted in an unjustified development which is detrimental to the rural character of the locality. Furthermore by virtue of the position of the siting of the unauthorised building and other paraphernalia associated with the unauthorised change of use, including the parking of a motor-home, the breach of planning control has resulted in a significant adverse impact upon the visual amenity of the surrounding area.

As such, the development conflicts with the aims and objectives of the following policies of the Development Plan:-

Policy 13 (General Sustainable Development Principles) of the North Northamptonshire Core Spatial Strategy states that development should respect and enhance the character of its surroundings, and conserve and enhance the landscape character of the area.

Policy 7 (Protection of the Open Countryside) of the Local Plan for Kettering Borough states that development should principally be directed towards the urban core.

The Local Planning Authority considers that it is expedient to take enforcement action due to the harm the unauthorised change of use and associated development and paraphernalia has upon the rural character and visual amenity of the vicinity.

5. WHAT YOU ARE REQUIRED TO DO

The steps required to remedy the breach of planning control for the purposes of remedying the injury to amenity are:-

- (1) Cease the use of the land as garden land.
Time for compliance: 1 month from the date this Notice takes effect.
- (2) Cease the parking of vehicles on the site.
Time for compliance: 1 month from the date this Notice takes effect.
- (3) Permanently remove from the site the timber outbuilding, including concrete base, and all structures and paraphernalia associated with the unauthorised use, including the fence panels, pallets, satellite antenna, water tap, pond and flower pots.
Time for compliance: 2 months from the date this Notice takes effect.

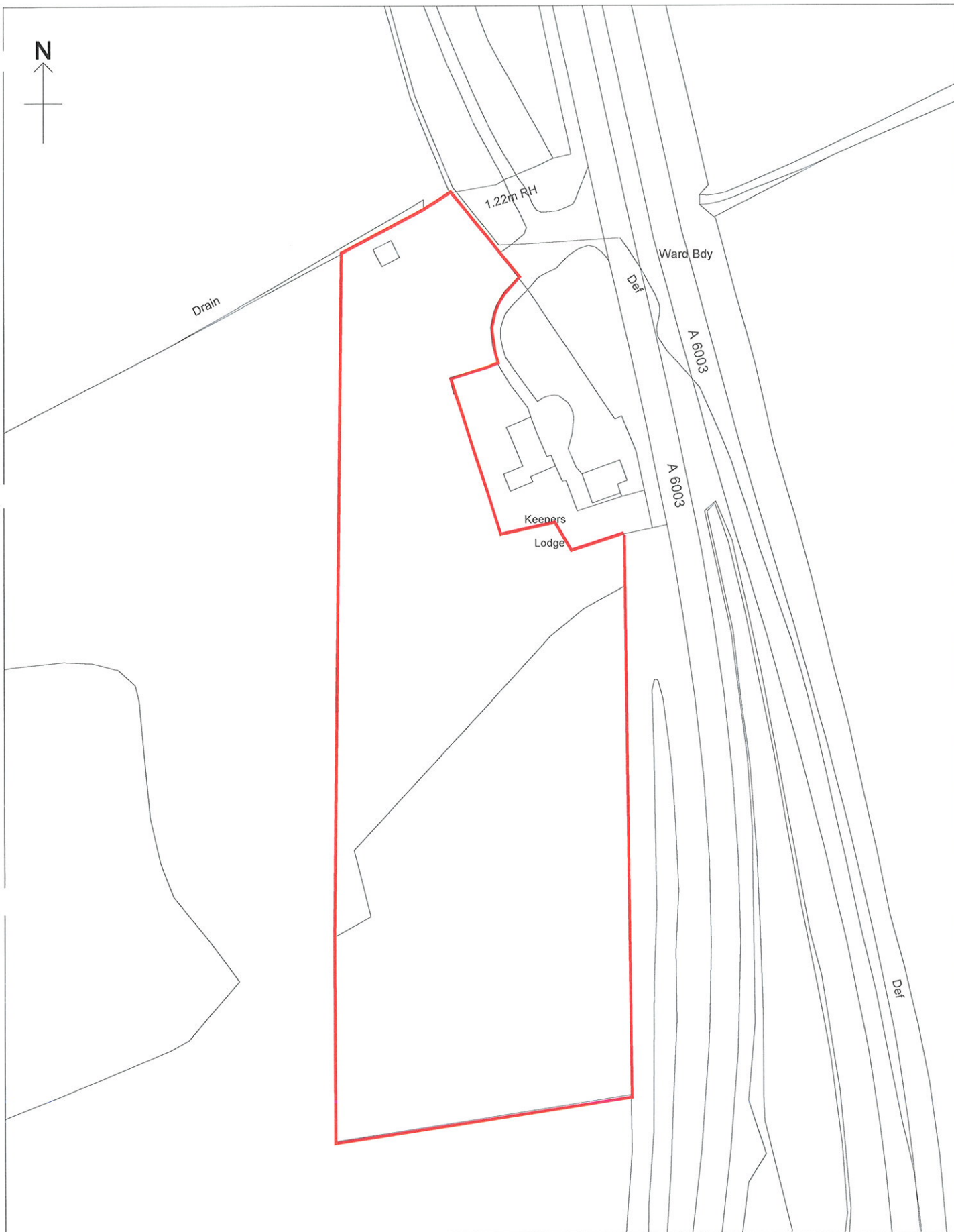
6. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 31st July 2009 unless an appeal is made against it beforehand.

DATED: 26th June 2009

Signed: 

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



Title

Keepers Lodge, Storefield, Kettering

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Kettering
Borough Council

Date: 26:06:09

Scale: 1:1250

Drawn by: JKR

ANNEX

YOUR RIGHT OF APPEAL

You can appeal against this Notice but any appeal must be received, or posted/sent electronically in time to be received, by the Secretary of State **before 31st July 2009**. Appeal forms may be obtained from The Planning Inspectorate, as set out in the attached guidance note. If you appeal you will need to send the spare copy of this Enforcement Notice to the Secretary of State with your appeal form.

WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this Enforcement Notice, it will take effect on 31st July 2009 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.

I certify I have today this 26th day of
June 2008 served the defendant
Mrs. K. Tye with a
Enforcement Notice
of which this is a true copy, by handing the
Notice to the defendant personally/leaving it
at/sending the Notice by recorded delivery postal
service to Keepers Lodge, Storefield
Kettering, Northamptonshire

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June 2008 served the defendant
Mrs. K. Tye with a
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of which this is a true copy, by handing the
Notice to the defendant personally/leaving it
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at Keepers Lodge, Storefield
Kettering, Northamptonshire