

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 Springfield Farm, Glendon Road, Rushton 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; change of use of the land from agricultural use, to a mixed use for agriculture and the stationing of, and residential occupation of a caravan in the approximate position on the attached plan marked with a green cross; and the carrying out of works as part of the unauthorised change of use, namely the provision of timber decking, lighting and a timber fuel storage shed.

4. REASONS FOR ISSUING THIS NOTICE

It appears to the Council that the breach of planning control has occurred within the last ten years. There is no agricultural or other justification for a residential unit in the countryside at this location, and the development is visually intrusive and incongruous to the character and appearance of the countryside. As such the development is contrary to the aims and objectives of the following policies of the Development Plan:

Policy H5 (Housing in the Open Countryside) of the Northamptonshire County Structure Plan states that housing development will only be permitted in the open countryside where it reuses or replaces existing buildings, or where it is essential for the purposes of agriculture or forestry.

Policy GS5 (Design) of the Northamptonshire County Council Structure Plan states that in order to promote high quality design and sustainable development, all proposals will have regard to the visual appearance of the development in the context of the defining characteristics of the local area.

Policy 7:(Environment: Protection of the Open Countryside) of the Local Plan for Kettering Borough states that planning permission for development within the open countryside will not be granted except where otherwise provided for in the plan.

Policy RA5 (Rural Area: Housing in the Open Countryside) of the Local Plan for Kettering Borough states that planning permission will not normally be granted for residential development in the open countryside, except where the development is essential for the purposes of agriculture or forestry, or incorporates reuse or conversion of a suitable rural building, or delivers affordable housing requirements in accordance with policy RA7.

Policy RA9 (Mobile Homes & Residential Caravans) of the Local plan for Kettering Borough states that planning permission will not be granted for additional sites for mobile homes, residential caravans or chalets in the open countryside.

Policy 30 (Environment: New Development) of the Local Plan for Kettering Borough states that proposals for development, including changes of use, will be granted planning permission where the character of the development is appropriate in terms of type and scale, and there is no adverse impact on the character of the area or on the amenity of existing or proposed nearby property.

5. WHAT YOU ARE REQUIRED TO DO

- (1) Cease the use of the caravan for residential purposes.
Time for compliance: 1 week from the date this Notice takes effect.
- (2) Remove the caravan from the land.
Time for compliance: 1 month from the date this Notice takes effect.
- (3) Remove from the land all timber decking, storage shed, lighting and all personal items brought onto the land in connection with the unauthorised use.
Time for compliance: 1 month from the date this Notice takes effect.

6. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 18 January 2007 unless an appeal is made against it beforehand.

DATED: 11 December 2006

Signed: 

Head of Development Services
Kettering Borough Council
Municipal Offices
Bowling Green Road
KETTERING
Northants NN15 7QX



Title

Springfield Farm: ENFO/2006/00218: Enforcement Notice

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Kettering
Borough Council

Date: 07:12:06

Scale: 1:7500

Drawn by: HGW

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 **18 January 2007**. 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 18 January 2007 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.