

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 The Firs at Woodside, Stoke Albany Road, Desborough 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 use for the stationing of and human habitation of a caravan

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.

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

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.

Policy14: General Sustainable Development Principles of the adopted North Northamptonshire Core Spatial Strategy states that development should not compromise the ability of future generations to enjoy the same quality of life that the present generation aspires to; should be designed to take full account of the transport user hierarchy of pedestrian-cyclist-public transport-private vehicle; should be of a high standard of design, architecture and landscaping; should allow for travel to home, shops, work and school on foot and by cycle and public transport; and should not cause a risk to the quality of the underlying groundwater or surface water.

5. WHAT YOU ARE REQUIRED TO DO

- (1) Cease the use of the caravan for the purposes of human habitation.
Time for compliance: 6 months from the date this Notice takes effect.
- (2) Remove the caravan from the land.
Time for compliance: 7 month from the date this Notice takes effect.
- (3) Remove from the land all personal items brought onto the land in connection with the unauthorised use.
Time for compliance: 7 month from the date this Notice takes effect.

6. WHEN THIS NOTICE TAKES EFFECT

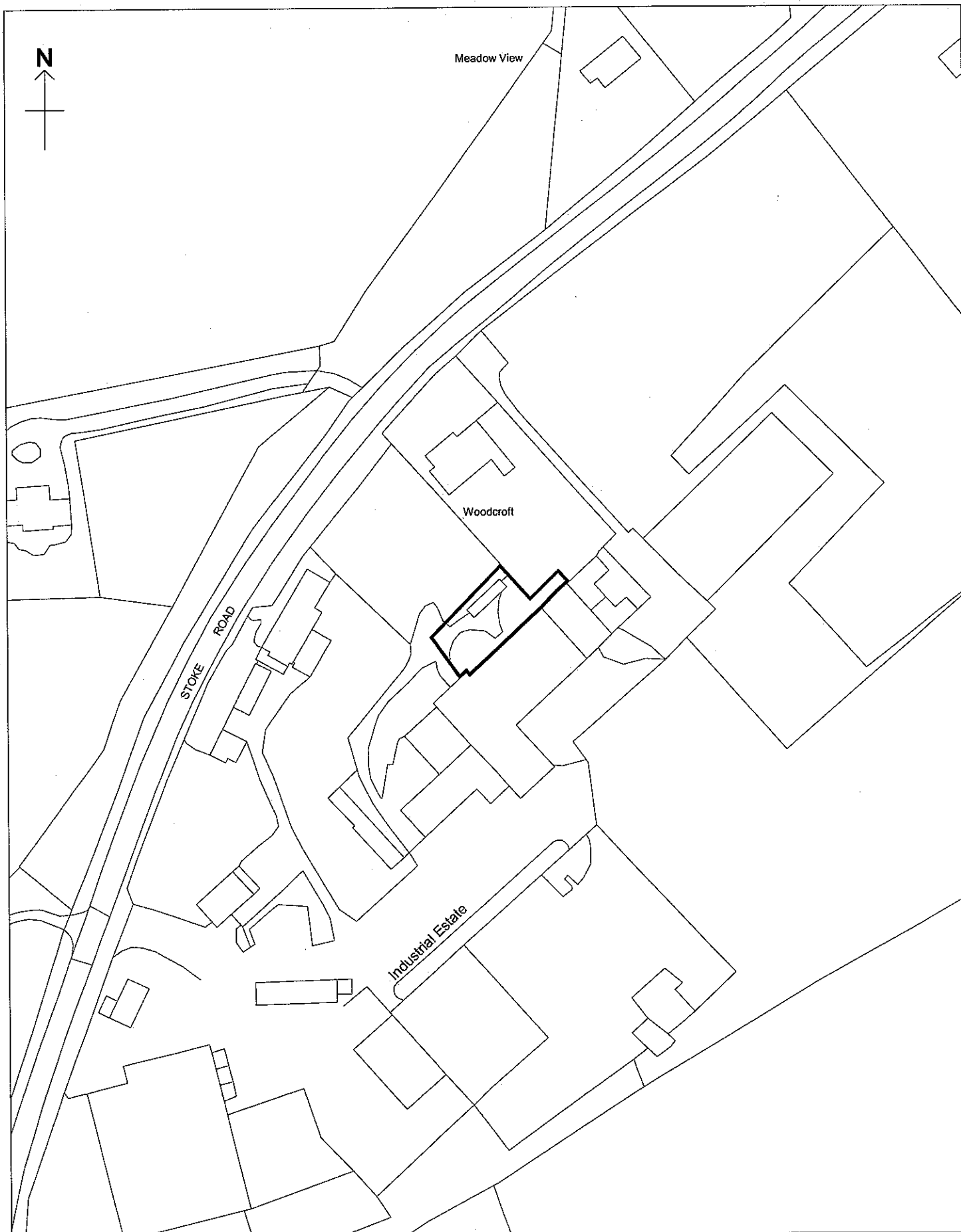
This Notice takes effect on 19 July 2008 unless an appeal is made against it beforehand.

DATED: 19 June 2008

Signed: _____

Tom Shill

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



Title

The Firs @ Woodside, Stoke Albany Road, Desborough

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Kettering
Borough Council

Date: 19:06:08

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 in time to be received, by the Secretary of State before **before 19 July 2008**. 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 19 July 2008 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.