

**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 Thornhill Arms, 2 Station 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 the construction of a raised deck and balustrading.

4. REASONS FOR ISSUING THIS NOTICE

It appears to the Council that the breach of planning control has occurred within the last four years.

The raised decking structure that wraps around the front and side of the Grade II Listed public house constitutes an overly suburban form of development that is inappropriate in its context. Furthermore by virtue of the extent of the raised decked area, including the area covered and its height in relation to the surrounding land, the structure appears incongruous and as a result detracts from the special architectural and historic character of the Listed Building.

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 Structure Plan states that in order to promote 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 13 (General Sustainable Development Principles) of the North Northamptonshire Core Spatial Strategy states that development should meet the needs of the residents and businesses without compromising the ability of future generations to enjoy the same quality of life that the present generation aspires to, and in particular should;

h) Be of a high standard of design, architecture and landscaping, respect and enhance the character of the surroundings and be in accordance with the Environmental Character of the area,

o) Conserve and enhance the landscape character, historic landscape designated built environment assets and their settings.

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) Permanently remove the raised decking and balustrade structure and all resultant materials from the site.

Time for compliance: 3 months from the date this Notice takes effect.

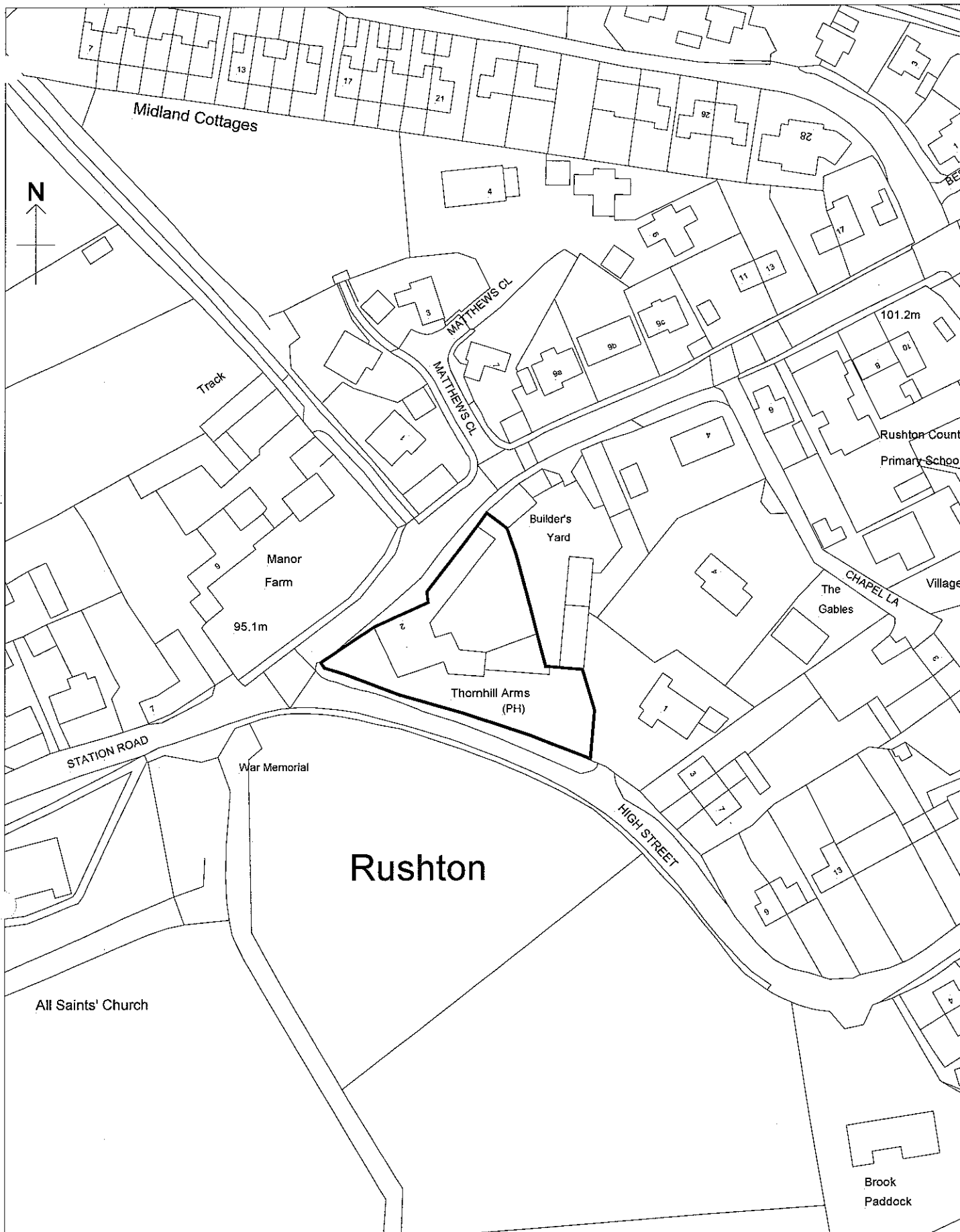
6. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 27<sup>th</sup> February 2009 unless an appeal is made against it beforehand.

DATED: 20<sup>th</sup> January 2009

Signed: 

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



Title

Thornhill Arms, 2 Station Road, Rushton

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**Kettering**  
Borough Council

Date: 19:01:09

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 in time to be received, by the Secretary of State before **27<sup>th</sup> February 2009**. 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 27<sup>th</sup> February 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 23rd day of  
January 2009 served the defendant  
Mr Company Secretary, Unique Pub Properties Ltd  
with a  
Enforcement Notice

of which this is a true copy, by handing the  
Notice to the defendant personally ~~or~~  
~~at/sending the Notice by recorded delivery postal~~  
service to 3 Monkspath Hall Rd,  
Shirley, Solihull, W. Midlands,  
B90 4ST

I certify I have today this 23rd day of  
January 2009 served the defendant  
Mr Haynes 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 The Thornhill Arms, 2  
Station Rd, Rushon, NN14 1RL

I certify I have today this 23rd day of  
January 2009 served the defendant  
Mrs Haynes 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 The Thornhill Arms, 2  
Station Rd, Rushon, NN14 1RL

I certify I have today this 23rd day of  
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