

IMPORTANT: THIS COMMUNICATION AFFECTS YOUR PROPERTY

ENF Ref

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 50 Montagu Street, Kettering, NN16 8RU 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, development consisting of the installation of a shop front.

4. REASONS FOR ISSUING THIS NOTICE

It appears to the Council that the breach of planning control has occurred within the last four years. It is considered that the unauthorised development by virtue of its design, materials used, and lack of historic features, results in an unacceptable and detrimental impact on the existing building within the Conservation Area. The development does not protect or enhance the appearance of the area, or contribute towards enhancing the town centre.

As such, the development is contrary to guidance contained within PPG15 – Planning and the Historic Environment, PPS1 – Delivering Sustainable Development, and the aims and objectives of the following policies of the Development Plan:-

Policy 13 of the North Northamptonshire Core Spatial Strategy which states that development should meet the needs of residents and businesses without compromising the ability of future generations to enjoy the same quality of life that the present generation aspires to.

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

Policy 33 (Environment: Advertisements, Signs and Shop Fronts) of the Local Plan for Kettering Borough states that planning permission for new or replacement shop fronts will be granted where the proposal is sympathetic to the architectural style of the building and can contribute to the enhancement of its surroundings in scale and proportion, materials, style and general appearance.

And

Policy K9 (Kettering: Shop Fronts) of the Local Plan for Kettering Borough states that proposals for development in the Kettering central area involving the installation of, replacement or new shopfronts will be considered only where they clearly lead to an enhanced appearance to the building in which they are to be located and the surrounding area.

5. WHAT YOU ARE REQUIRED TO DO

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

- (1) Permanently remove the unauthorised shop front.

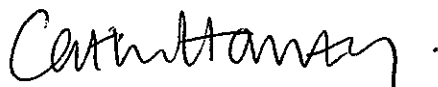
Time for compliance: 6 months from the date this Notice takes effect.

6. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 1 September 2008 unless an appeal is made against it beforehand.

DATED: 30 July 2008

Signed:



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



Title

50 Montagu Street, Kettering

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Kettering
Borough Council

Date: 29/07/08

Scale: 1:1250

Drawn by: PM

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 1 September 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 **1 September 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.