

**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 at Springfields, Harborough Road, Braybrooke 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 agricultural land to a use as an extended curtilage for a Gypsy caravan site for the siting of one mobile home, together with associated operational development comprising the laying of hardstanding and installation of 4 no. lighting columns along the northern boundary of the site, all carried out as part of the unauthorised change of use.

4. REASONS FOR ISSUING THIS NOTICE

It appears to the Council that the breach of planning control has occurred within the last ten years. In recognition of Gypsy and Traveller accommodation needs the existing Gypsy caravan site was granted as an exception to the general planning policy presumption against development in open countryside. Such exceptions should be fully justified and related to occupiers needs. The substantial extension of the curtilage of the existing site into open countryside, subject of this Notice, is not justified in terms of functional or other needs requirements of the occupiers. In addition, due to the siting of the mobile home and the large expanse of hardstanding and lighting columns, the unauthorised development carried out has resulted in an over-development of the site which unnecessarily introduces incongruous and alien physical features and light

pollution which detract from the rural character and appearance of the countryside and the visual amenity of the locality.

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

Policy 1 (Strengthening Local Networks) of the North Northamptonshire Core Spatial Strategy states that development should principally be directed towards the urban core.

Policy 13 (General Sustainable Development Principles) of the North Northamptonshire Core Spatial Strategy states that in particular development should respect and enhance the character of its surroundings, not result in an unacceptable impact upon the amenities of the wider area by reason of light pollution, and conserve and enhance the landscape character of an area.

Policy 7 (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 Local Plan.

Due to the harmful impact of the change of use and the associated operational development it is considered to be expedient to take enforcement action to remedy the breach of planning control.

## 5. WHAT YOU ARE REQUIRED TO DO

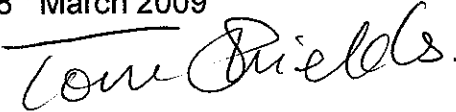
The steps required to remedy the breach of planning control for the purposes of remedying the injury to amenity are:-

- (1) Cease the use of the land as a Gypsy caravan site  
Time for compliance: 3 months from the date this Notice takes effect.
- (2) Permanently remove from the land all temporary structures and materials associated with the unauthorised use, including the lamp posts, mobile home base, and all hardcore and other such materials deposited on the land forming the hardstanding.  
Time for compliance: 4 months from the date this Notice takes effect.
- (3) Upon completion of steps (1) and (2) set out above, sow the remediated area with grass seed.  
Time for compliance: 12 months

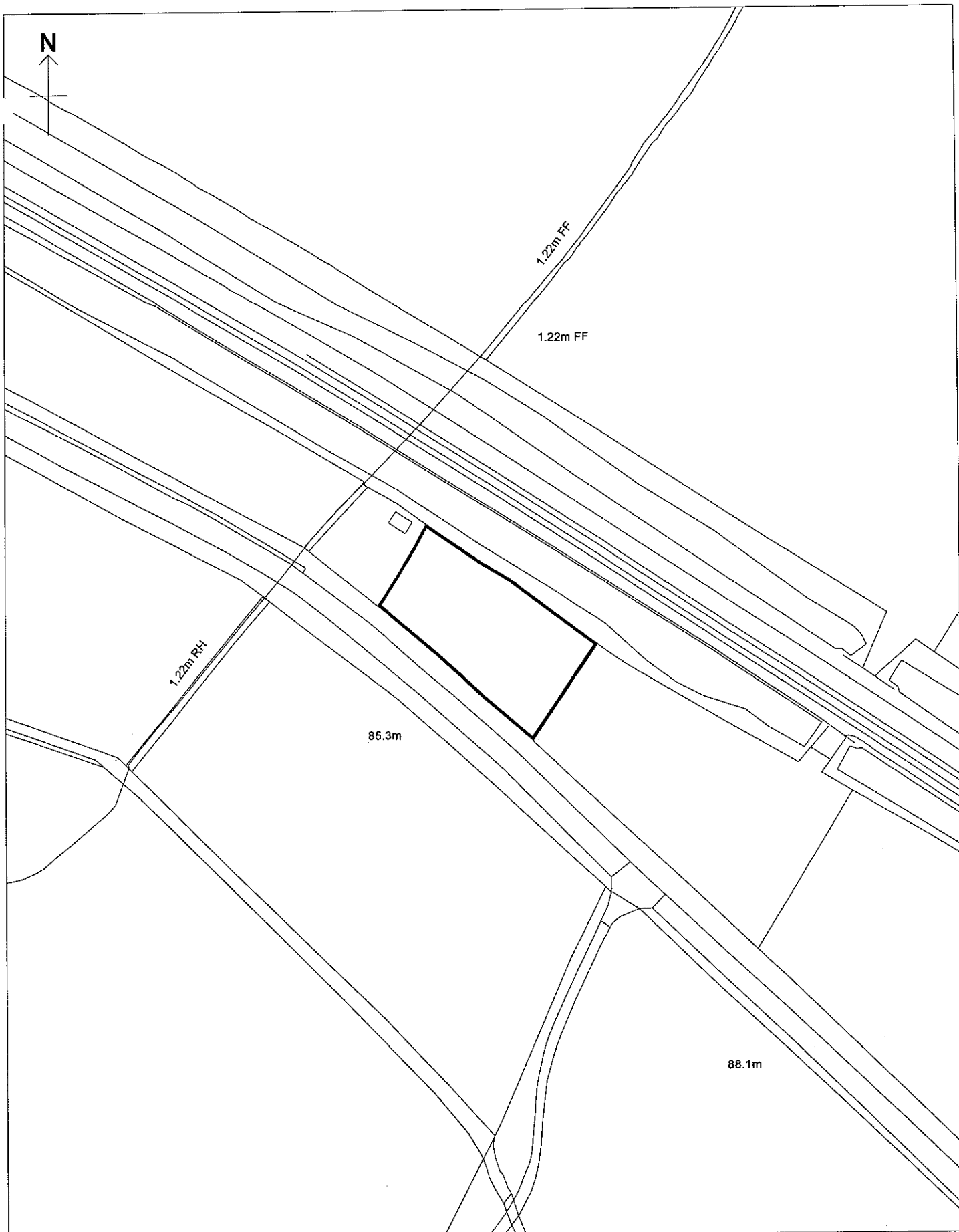
## 6. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 24<sup>th</sup> April 2009 unless an appeal is made against it beforehand.

DATED: 18<sup>th</sup> March 2009

Signed: 

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



Title

Springfields, Harborough Road, Braybrooke

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**Kettering**  
*Borough Council*

Date: 18:03:09

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 24<sup>th</sup> April 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 24<sup>th</sup> April 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.