

**IMPORTANT: THIS COMMUNICATION AFFECTS YOUR PROPERTY**

**KETTERING BOROUGH COUNCIL**

**BREACH OF CONDITION NOTICE**

**TOWN AND COUNTRY PLANNING ACT 1990  
(as amended by the Planning and Compensation Act 1991)**

**SERVED BY: KETTERING BOROUGH COUNCIL**

**TO:**

- 1. This is a formal notice** which is issued by the Council, under section 187A of the above Act, because they consider that conditions imposed on a grant of planning permission, relating to the land described below, have not been complied with. They consider that you should be required to comply with the conditions specified in this notice.

- 2. THE LAND AFFECTED BY THE NOTICE** shown edged red on the attached plan.

The dwellinghouse and associated land at 6 Gunnell Close, Kettering, shown edged in red on the attached plan.

- 3. THE RELEVANT PLANNING PERMISSION**

The relevant planning permission to which this notice relates is the retrospective permission, KET/2017/0688, granted by the Council on 17<sup>th</sup> November 2017 for the construction of a porch and hard surfacing to the front.

- 4. THE BREACH OF CONDITION**

The following conditions of planning permission KET/2017/0688 have not been complied with –

**(1) Condition 2**

Within 2 months of the date of this decision the hard surfaced parking area shall include the installation of a positive means of drainage to ensure that surface water from the vehicular access or private land does not discharge onto the highway.

**REASON:** In the interests of limiting the impact of the development on the water environment in accordance with Policy 5 of the North Northamptonshire Joint Core Strategy.

**(2) Condition 3**

Within 2 months of the date of this decision a scheme shall be submitted to and approved in writing by the Local Planning Authority that details the insertion of a new entrance door to the north elevation of the porch and demonstrates how the existing door to the front elevation (as shown on the existing elevation plan reference A-120a) will be removed and any remedial works required to make good the elevation. The scheme shall be implemented within 2 months of the approval of the details and shall be retained in the approved form thereafter.

**REASON:** In the interests of highway safety due to the proximity of the entrance door to the footpath, change in levels and constrained position of the existing door in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

**5. WHAT YOU ARE REQUIRED TO DO**

As the person responsible for the breaches of conditions specified in paragraph 4 of this notice, you are required to comply with the stated conditions by taking the following steps -

**(1) Condition 2**

- i) Install a linear drainage channel within the site boundary and between the driveway and the highway which discharges within the site to a soakaway or landscaped/permeable area

and

**(2) Condition 3**

- i) Remove the following items: the existing front door which is currently installed in the east elevation of the porch and the existing window which is currently installed in the north elevation of the porch
- ii) Replace the removed items, detailed above, as follows: install the front door into the north elevation and install the window into the east elevation
- iii) Using bricks, mortar and detailed banding that matches the existing porch, make good the resulting opening left in the east elevation.

**Time for compliance:** 60 days beginning with the day on which this Notice is served on you.

**6. WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect immediately once it is served on you or you receive it by postal delivery.

Dated: 26/04/18

Signed:

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

**WARNING**

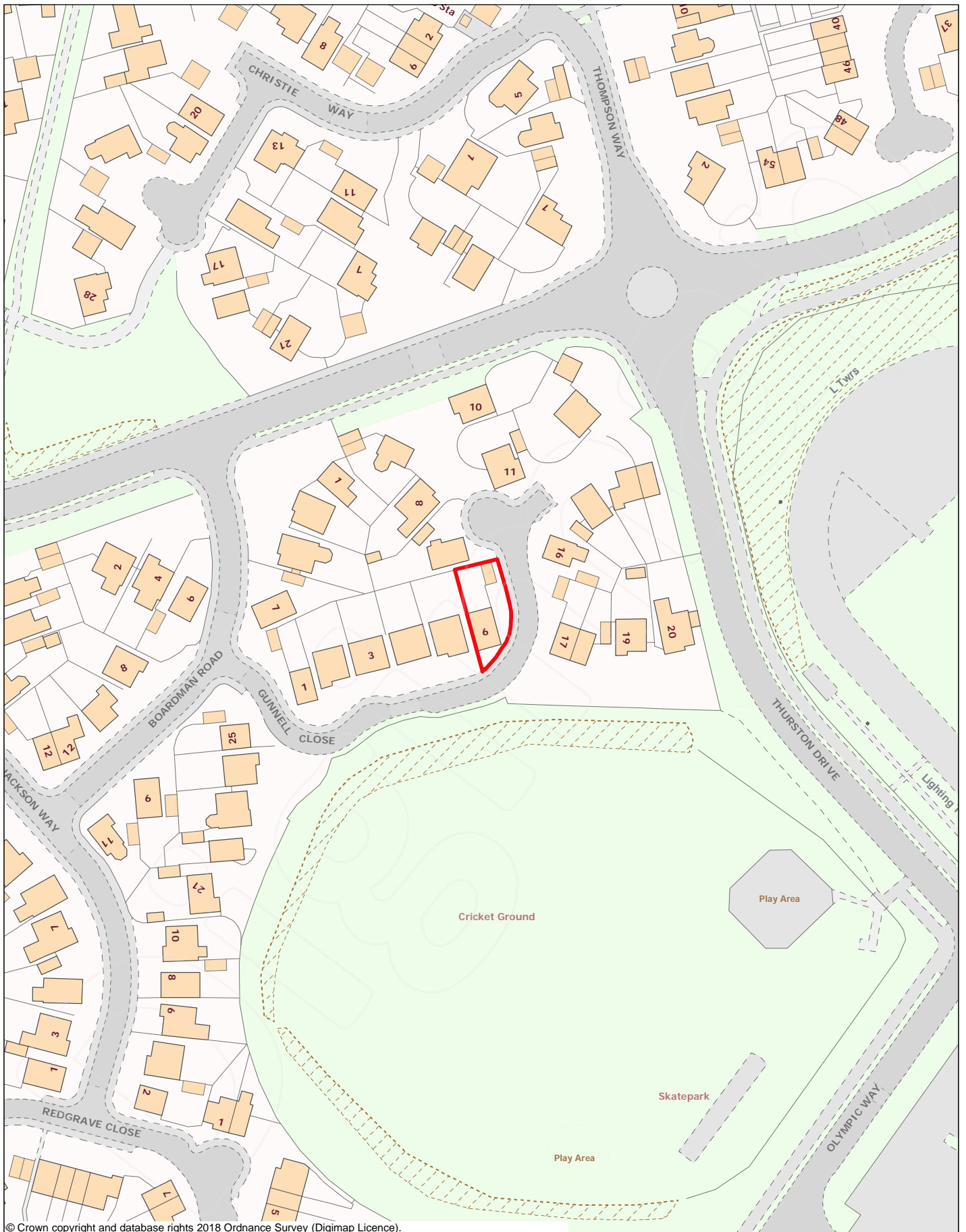
**There is no right of appeal against this Notice.**

It is an offence to contravene the requirements stated in paragraph 5 of this Notice after the end of the compliance period. You will then be at risk of **Immediate prosecution** in the Magistrates' Court, for which the maximum penalty is £2,500 for a first offence and for any subsequent offence. If you are in any doubt about what this Notice requires you to do, you should get in touch *immediately* with the Council on (01536) 534316.

If you need independent advice about this notice, you are advised to contact urgently a solicitor, planning consultant or other professional adviser specialising in planning matters. If you wish to contest the validity of the Notice, you may only do so by an application to the High Court for judicial review. A solicitor will advise you on what this procedure involves.

**Do not leave your response to the last minute.**

# 6 Gunnell Close, Kettering



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