

IMPORTANT: THIS COMMUNICATION AFFECTS YOUR PROPERTY

KETTERING BOROUGH COUNCIL

LISTED BUILDING ENFORCEMENT NOTICE

**PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990,
SECTION 38**

1. Kettering Borough Council ("the Council") is the Local Planning Authority for the purposes of section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("the Act") for the area containing the building described below. The building is included within a list of buildings of special architectural or historic interest approved or compiled by the Secretary of State under section 1 of the Act.

2. **THE LISTED BUILDING**

Royal Hotel, Market Place, Kettering, in the County of Northamptonshire, ("the Building"), shown edged in red for identification purposes only on the plan attached to this Notice.

3. It appears to the Council that the works described below ("the Works") have been executed to the Building in contravention of section 7(1) of the Act, and the Council considers it expedient to Issue this Notice having regard to the effect of the unauthorised works on the character of the Building as one of special architectural or historic interest. It is an offence under section 9 (1) to contravene section 7 (1) of the Act

The unauthorised works are detailed on Schedule 1 attached to this Notice-

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

The Council gives notice that pursuant to section 38(2)(b) of the Act, it requires the following steps to be taken for the purpose of alleviating the effect of the unauthorised works:

- I. Remove all unauthorised replacement windows; namely PVCu windows, in the rear, front and side elevations.
- II. Re-instate the windows in the building prior to the unauthorised alterations in accordance with the following specifications:

- (a) Single glazed, double hung, white timber sash windows with small ogee horns to meeting rail on top sash only and balanced using traditional sash weights. Top and bottom sash to be of equal height.
 - (b) Each sash to have six panes of glass of equal size, separated by traditional lambs tongue or broken lambs tongue glazing bars.
 - (c) The first floor windows in the semi-circular row window above the 'Emporio Bar' signage shall be reinstated to match those above which consist of a single glazed, single pane and white slender metal or timber frame.
 - (d) All glass to be putty fixed externally.
- III. Make good any damage caused to the fabric of the building during the works specified in compliance with steps I and II above using materials to match the specification of the existing building.
- IV. **Time for compliance: 4 months from the date this Notice takes effect**

5. **WHEN THIS NOTICE TAKES EFFECT**

This Listed Building Enforcement Notice takes effect on **19th June 2019** unless an appeal is made against it beforehand.

DATED: 22th May 2019

Signed:



James Wilson
Interim Head of Development Services
Kettering Borough Council
Municipal Offices
Bowling Green Road
KETTERING
Northamptonshire
NN15 7QX

SCHEDULE 1

The unauthorised works undertaken to the listed building known as Royal Hotel, Market Place, Kettering, Northamptonshire are detailed as:-

The unauthorised removal of timber frame sash and other windows and installation of replacement window frames in white PVCu and glazing

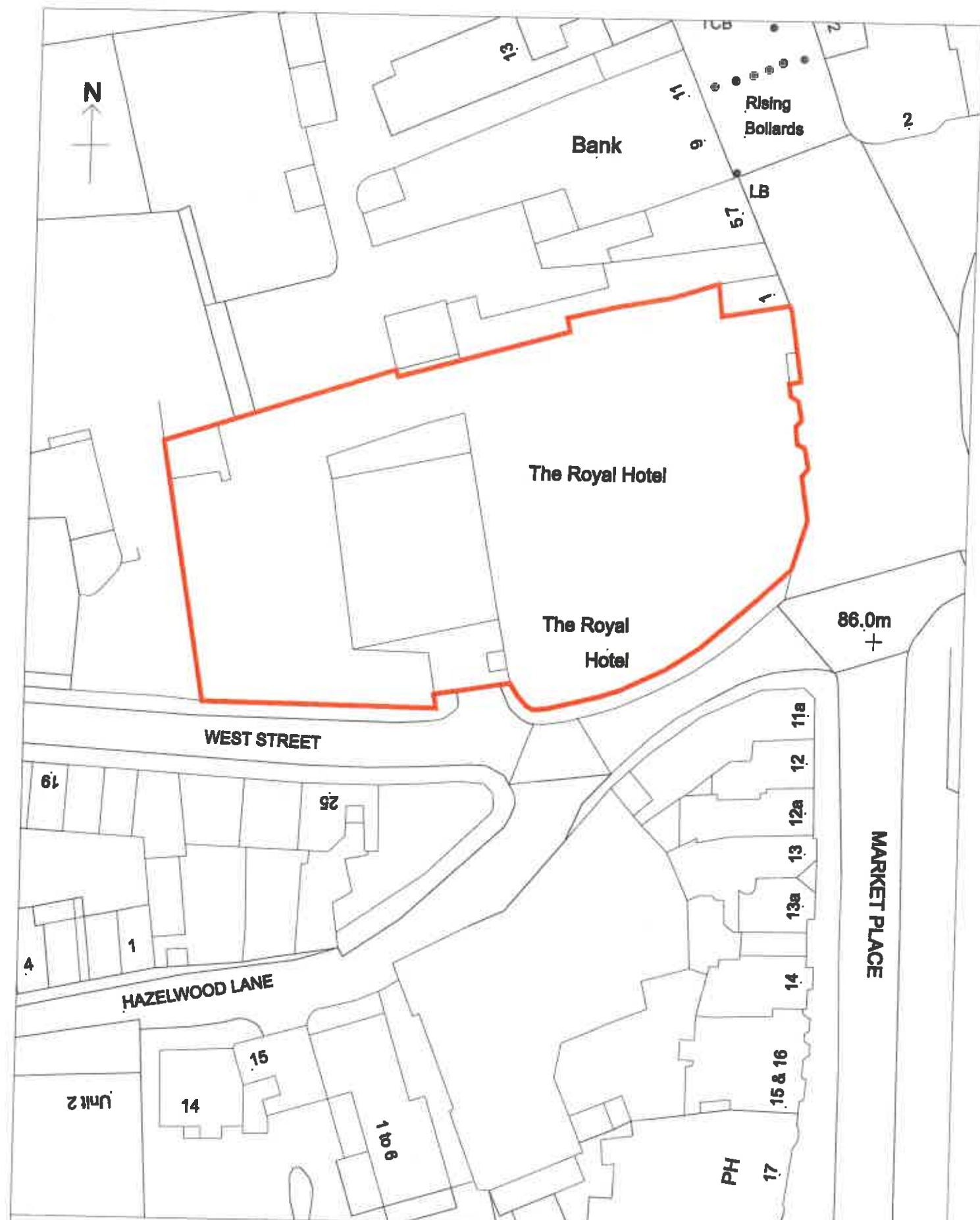
ANNEX

THE RIGHT OF APPEAL

An appeal can be made against this Notice but any appeal must be received, or posted / sent electronically in time to be received, by the Secretary of State **before the 19 June 2019**. Appeal forms may be obtained from The Planning Inspectorate, as set out in the attached letter and guidance note. If you appeal you will need to send the spare copy of this 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 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.



Title: LB Enfo Notice (ENFO/2019/00054) Royal Hotel, Market Place, Kettering

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Drawn by: SJP

Kettering
Borough Council

