

IMPORTANT: THIS COMMUNICATION AFFECTS YOUR PROPERTY

ISSUED BY:

KETTERING BOROUGH COUNCIL

ENFORCEMENT NOTICE

OPERATIONAL DEVELOPMENT

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

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 within paragraph (a), under Section 171A(1) 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. The Annex at the end of this notice and the enclosures to which it refers contains important additional information.

2. **THE LAND AFFECTED**

Greenfield site as shown edged in Red and LAND ON THE NORTH SIDE OF BRAYBROOKE ROAD, DESBOROUGH, KETTERING NN235509 (LAND TITLE edged in Blue) and hatched in GREEN the location of the breach of planning control.

3. **MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL ALLEGED**

Without planning permission as shown on attached Plan A:

Without planning permission, within the land edged in Red (for identification purposes only) the carrying out of operations on the land title NN235509, resulting in the provision of a hard-surfaced access track, as shown approximately hatched in Green to the Northern end of the Hedgerow marked XY within the last 4 years.

4. **REASONS FOR ISSUING THIS NOTICE**

1. It appears to the Council that the breach of planning control has occurred within the last 4 years.
2. The operational development was substantially completed less than 4 years ago and results in an unjustified development within the open countryside and is considered to have a visually intrusive and discordant feature in a surrounding rural area that has a detrimental effect on the rural character and appearance of the landscape and fails to contribute to or enhance the natural and local environment by protecting and enhancing valued landscapes contrary to paragraph 15 of the National Planning Policy Framework.
3. As such, the development conflicts with the aims and objectives of the following policies of the Development Plan:-

Policy 3 (a, b and c) of the Joint Core Strategy states to conserve and where possible enhance the character and qualities of the local landscape through appropriate design and management, make provision for the retention and where possible enhance the features of landscape importance, safeguard and where possible, enhance important views and vistas including skylines within the development layout.

4. The rolling open slopes and the landscape are important for the cumulative contribution they make within the broader countryside setting and therefore the Council considers that planning permission should not be given, because planning conditions could not overcome these objections to the development.

5. **STEPS REQUIRED TO RECTIFY THE BREACH (WHAT YOU ARE REQUIRED TO DO):**

- (1) Remove the compact hardcore materials that form the access track as approximately shown shaded in GREEN and all materials comprising its construction from the land.

Time for compliance: 2 month from the date this Notice takes effect.

- (2) Remove from the land all debris resultant from compliance with Step (1).

Time for compliance: 2 weeks from completion of Step (1).

- (3) Restore the land identified, as approximately shaded in GREEN, back to its agricultural condition before the breach took place by levelling the ground, laying topsoil and re-seeding it with grass.

Time for compliance: 1 month from the completion of Steps (1) and (2).

6. **WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect on **16th March 2020** unless an appeal is made against it beforehand.

DATED: 14th February 2020

Signed: 

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