

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 (the Council)

TO:

1. **THIS NOTICE** which is served by the Council, under Section 187A of the above Act, because they consider that a condition imposed on a grant of planning permission, relating to the land described below, has not been complied with. The Council consider that you should be required to comply with the condition specified in this notice. The Annex at the end of this notice contains important additional information.

2. **THE LAND AFFECTED BY THE NOTICE**

The land at 18 Harborough Road, Dingley, shown edged in red on the attached plan.

3. **THE RELEVANT PLANNING PERMISSION**

The relevant planning permission to which this notice relates is the permission KET/2015/0092 granted by the Council on 31st March 2015 for the single storey extension to garage to provide guest annexe

4. **THE BREACH OF CONDITION**

The following condition has not been complied with –

Condition 2: The materials to be used in the construction of the external surfaces of the development hereby permitted shall match, in type, colour and texture as those on the adjacent building.

REASON: In the interests of visual amenity in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

Reference Exhibit 1

5. WHAT YOU ARE REQUIRED TO DO

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

- (1) to completely render the external walls of the building so that all of the current breeze block external finish is rendered
- (2) to paint all of these external surfaces in a white or cream masonry paint finish.

In accordance with plan 2835 3A (Exhibit 2) approved with the planning permission on 31st March 2015.

Time for compliance:

- (1) 5 weeks beginning with the day on which this notice is served on you.
- (2) 6 weeks beginning with the day on which this notice is served on you.

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect immediately it is served on you in person or you received it by postal delivery.

Dated: 8th June 2020.....

Signed:



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

ANNEX

WARNING

There is no right of appeal to the secretary of state for communities and local government 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 currently £2,500 (standard level 4) for a first offence and for any subsequent offence of continuing to fail to comply.

If you are in any doubt about what this notice requires you to do, you should get in touch *immediately* with Theresa Nicholl 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.

Exhibit 1



Figure 1 – side west elevation looking north



Figure 2 – rear north and side west elevations looking south

Exhibit 2

