

**IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY**

**TOWN AND COUNTRY PLANNING ACT 1990**

**ENFORCEMENT NOTICE – OPERATIONAL DEVELOPMENT**

ISSUED BY THE LONDON BOROUGH OF MERTON

1. **THIS IS A FORMAL NOTICE** issued by the Council because it appears that there has been a breach of planning control under Section 171A(1)(a) of the above Act, at the land described below. The Council considers it expedient to issue this notice, having regard to the provisions of the development plan and to other material considerations.

2. **THE LAND AFFECTED**

**Land at 109 Haydons Road Wimbledon London SW19 1HH** in the London Borough of Merton shown edged red on the attached plan ('the Land').

3. **THE BREACH OF PLANNING CONTROL ALLEGED**

Without planning permission, the erection of a roof extension to the roof of the existing single storey rear extension on the Land.

4. **REASONS FOR ISSUING THIS NOTICE**

- (a) It appears to the Council that the above breach of planning control has occurred within the last four years.
- (b) The unauthorised roof extension by virtue of its height, design and proximity to the neighbouring dwelling results in a loss of outlook and light to the neighbouring dwelling.
- (c) The unauthorised roof extension is contrary to the following policies of the London Borough of Merton Unitary Development Plan (October 2003):

BE.15: New Buildings and Extensions; Daylight, Sunlight, Privacy, Visual Intrusion and Noise.

BE.23: Alterations and Extensions to Buildings

Copies of the above policies are attached.

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

- (a) Remove the unauthorised roof extension from the Land and reduce the height to the height of the original roof of the existing extension.
- (b) Remove from the Land all materials and debris resulting from compliance with (a) above.

**Time for Compliance: within 2 months from the date this notice takes effect.**

**6. WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on 4 January 2006  
unless an appeal is made against it beforehand.

Dated: 23 November 2005 Signed:   
Head of Civic and Legal Services

Address to which all communication should be sent:-  
Head of Civic and Legal Services, London Borough of Merton, Merton Civic Centre,  
London Road, Morden, Surrey SM4 5DX (Ref: CS/LEG/RO/2005P411)

**YOUR RIGHT OF APPEAL**

You can appeal against this notice by using the Enforcement Notice Appeal forms enclosed with this notice or by submitting an appeal online ([www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs)). Please note however that any appeal must be received, or posted in time to be received, by the Planning Inspectorate before the date this notice takes effect. The enclosed booklet "Making Your Enforcement Appeal" sets out your rights and the procedure to be followed. Read it carefully. You should also read sections 171-177 of the Act which are also enclosed. If you decide to appeal, you should send two copies of the enclosed appeal forms and one copy of the enforcement notice, to the Planning Inspectorate. The other appeal form and the other copy of the enforcement notice are for you to keep for your own records.

**FEE PAYABLE FOR THE DEEMED APPLICATION**

If your ground of appeal is, or includes ground (a) that planning permission should be granted, you must include with your appeal a fee, which is double that payable for a normal planning application. The total fee payable is **£270.00**. Half the fee is payable to the Planning Inspectorate and half to the Council. You should therefore include:  
One cheque for **£135.00** payable to The Office of the Deputy Prime Minister  
One cheque for **£135.00** payable to the London Borough of Merton  
The fee can be sent with your appeal form.

