

ENVIRONMENT AND REGENERATION DEPARTMENT

Chris Lee - Director



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**Future Merton
London Borough of Merton
Merton Civic Centre
London Road
Morden SM4 5DX**

Direct Line: 0208 545 3587

Please Ask For: Claire O' Donovan

Date: 03 April 2014

Dear owner or occupier,

Town and Country Planning (General Permitted Development) Order 1995 (AS AMENDED)

I wrote to you on 4 December 2013 informing you that the council was intending to change the above planning regulations locally. This letter updates you on the situation.

In May 2013, the Government decided that the conversion of offices to houses or flats did not require planning permission. However Merton Council wants to ensure that there is space available for local businesses by preventing this from happening in certain parts of the borough, using a planning tool known as an 'Article 4 Direction'. It means that converting an office to a house or a flat in Wimbledon town centre or in Merton's industrial estates will continue to require planning permission and community consultation like it did before May 2013.

The council consulted on this change between December 2013 and January 2014 and, following this consultation, it has been decided to confirm the change. The new rule requiring planning permission for offices to convert to houses or flats in Wimbledon town centre or in the industrial estates will be introduced on 03 April 2015.

The law means we have to write to every owner and occupier where practicable in these areas, even if they are not an owner or occupier of an office. This is so that everyone who could be affected by this change to the rules is notified of the proposed changes. This is why you have received this letter. Where possible, we have excluded occupants of houses or flats from receiving this letter.

I enclose information on the change with this letter. If you are not the owner or occupier of this premises, please make sure that any owner or occupier of this premises has seen this letter.

If you have any queries or would like to receive paper copies of information relating to this Article 4, please contact us on 0208 545 3587 or email: ldf@merton.gov.uk

Yours sincerely,

Claire O'Donovan

Claire O'Donovan
Planning Officer
Email: claire.odonovan@merton.gov.uk

Further Information

Notice of Direction: Notice is given that the London Borough of Merton confirmed a direction under Article 4(1) of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) to withdraw the permitted development right granted by Schedule 2, Part 3, Class J of the Order for change of use to a use falling within Class C3 (residential) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 from a use falling within Class B1 (a) offices of that schedule.

What is changing? Since 30 May 2013, new government planning rules has meant that the conversion of offices to houses or flats does not require planning permission. In Merton we are concerned about the impact this will have in the area's ability to retain existing businesses and jobs, attract new businesses and jobs, and provide services locally for Merton's residents, workers and visitors. Therefore we have decided to use planning tools at our disposal to amend the Government's decision and reintroduce the need for planning permission for the conversion of offices to houses or flats in part of the borough: Wimbledon town centre and Merton's industrial estates.

What type of building will be affected by this change? The new rules will apply to any premises that are currently offices, whether occupied or vacant, in Wimbledon town centre and Merton's industrial estates. If a property becomes an office in the future, the rules will also apply to that office.

What will be affected? Premises or land in Wimbledon town centre or in the major industrial estates (including Willow Lane, Garth Road, South Wimbledon [Morden Road], Durnsford Road, Dundonald Road, Plough Lane and Prince George's Road [Colliers Wood] will be affected. Please see enclosed Article 4 Direction with maps which shows that areas that will be affected by this change.

Where prior approval has already been granted or is not required to convert offices into residential use for buildings within Wimbledon town centre or Merton's industrial estates, applicants must have redeveloped the office to establish residential use by **03 April 2015**, and not government's current date of 30 May 2016.

Why have owners or occupiers of houses of flats been excluded from this notification process? The purposes of this proposed change is to inform office owners or occupiers who may be affected by this proposed change. Owners or occupiers of houses or flats in these areas will not be affected by this proposed change as these buildings are already in residential use.

Where can I view the new regulations and more information? The direction, a copy of the map defining the area to which it relates and other supporting information can be seen online at www.merton.gov.uk/article_4_2_directions and at the following libraries: Donald Hope (Colliers Wood), Mitcham, Morden, Raynes Park, West Barnes and Wimbledon.

What has happened so far? On the 25 November 2013, the Council resolved to make an Article 4 Direction and consult on the withdrawal of permitted development rights from offices to residential uses in Wimbledon town centre and the industrial estates. Consultation on this change took place between 04 December 2013 and 15 January 2014. On 02 April 2014, councillors resolved to 'confirm' Merton's non-immediate Article 4 Direction, which will withdraw permitted development rights for offices to convert to flats in Wimbledon town centre and Merton's industrial areas.

I submitted comments, how did these inform whether the council should or should not confirm the Article 4? The overwhelming majority of representations, representing a large proportion of businesses in Merton, support the introduction of this Article 4. Councillors considered these findings when making their decision.

When will the rules change? The regulations will now come into force on **Thursday, 03 April 2015**, exactly 12 months after its confirmation.

London Borough of Merton
Industrial Sites: Key Map
Scale 1: 24,000



This map is based on Ordnance Survey material with the permission of Ordnance Survey on behalf of HMSO.
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TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 1995

AS AMENDED

DIRECTION MADE UNDER ARTICLE 4(1) TO WHICH ARTICLE 5 APPLIES

WHEREAS the London Borough of Merton being the appropriate planning authority within the meaning of article 4(4) of the Town and Country Planning (General Permitted Development) Order, are satisfied that it is expedient that development of the description(s) set out in the Schedule below should not be carried out on the land shown edged black on the accompanying plan, unless planning permission is granted on an application made under Part III of the Town and Country Planning Act 1990 as amended.

NOW THEREFORE the said Council in pursuance of the power conferred on them by article 4(1) of the Town and Country Planning (General Permitted Development) Order 1995 hereby direct that the permission granted by article 3 of the said Order shall not apply to development on the said land of the description(s) set out in the Schedule below.

SCHEDULE

Development consisting of a change of use of a building and any land within its curtilage to a use falling within Class C3 (dwelling houses) of the Schedule to the Town and County Planning (Use Classes) Order 1987 from a use falling within Class B1(a) (offices) of that Schedule being development comprised within Class J of Part 3 of Schedule 2 to the said Order and not being development comprised within any other Class.

THE DIRECTION is made under Article 4(1) of the said Order and in accordance with Article 5, shall come into force on the 05th day of March 2015.

Made under the Common Seal of

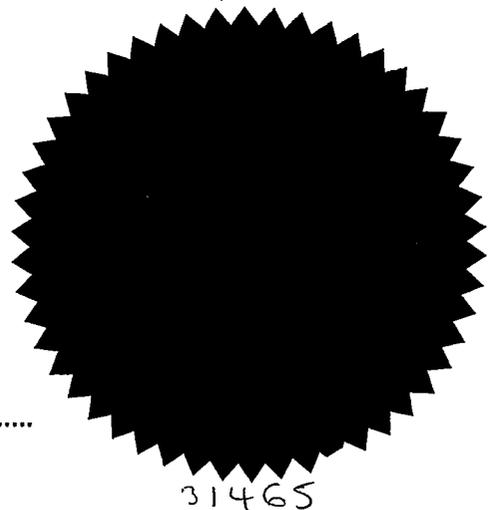
the London Borough of Merton,

this 25th day of November 2013.

The Common Seal of the Council was affixed to this Direction in the

presence of the *C. W*

London Borough of Merton Authorised Signatory



Confirmed under the Common Seal of

the London Borough of Merton,

this 03rd day of April 2015. 2014 *CW*

The Common Seal of the Council was affixed to this Direction in the

presence of the *C. W*

London Borough of Merton Authorised Signatory.

