

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990

ENFORCEMENT NOTICE – OPERATIONAL DEVELOPMENT

ISSUED BY THE LONDON BOROUGH OF MERTON

Enforcement reference: 22/E0279

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 205 London Road, Morden, SM4 5PT in the London Borough of Merton shown edged red on the attached plan and is registered under Land Registry title number P143051 ('the Land').

3. THE BREACH OF PLANNING CONTROL ALLEGED

Without planning permission and within the last four years:

- (i) the unauthorised erection of a rear roof extension on the Land; and
- (ii) the unauthorised erection of a single storey rear/side 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 rear roof extension by reason of its siting within the roof, design, size, scale and massing results in an unsympathetic, visually intrusive and incongruous form of development that fails to achieve a high standard of design, harmonise with the pattern of development of the locality, the character and appearance of the host property and the row of semi-detached dwellings it belongs to and the London Road street scene. The proposal fails to accord with the principles of policies DMD2 and DMD3 of the Merton's Sites and Policies Plan 2014, CS 14 of the LBM Core Strategy 2011 and D3 and D4 of the London Plan 2021.
- (c) The unauthorised single storey rear/side extension, by reason of its combined siting, height and depth fails to achieve a high standard of design

and results in an unsympathetic, visually intrusive and incongruous form of development that fails to harmonise with the pattern of development of the locality, the character and appearance of the host property and the row of semi-detached dwellings it belongs to and the London Road street scene and creates a sense of enclosure, loss of light and is visually intrusive to the detriment of the amenity of 203 and 207 London Road. The proposals would be contrary London Plan 2021 Policy D3, Core Strategy Policy CS14 and Policies DMD2 and DMD3 of the Merton Sites and Policies Plan 2014.

5. WHAT YOU ARE REQUIRED TO DO

(a) Either:

- (i) remove the unauthorised rear roof extension and reinstate the original roof to its condition prior to the breach of planning control;

Or:

- (ii) alter the unauthorised rear roof extension to fully accord with the approved drawing number: 2021/1106-P05A (attached) submitted to the Council in accordance with planning permission reference number: 21/P4071.

(b) Either:

- (i) remove the unauthorised single storey rear/side extension and reinstate the original wall;

Or:

- (ii) alter the unauthorised rear roof extension to fully accord with the approved drawing number: 2021/1112-P06A (attached) submitted to the Council in accordance with planning permission reference number: 21/P4052.

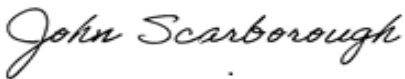
- (c) Following compliance with step 5(a)(i) or step 5(a)(ii) and step 5(b)(i) or step 5(b)(ii), completely remove from the Land all associated materials, fixtures, fittings, and debris.

Time for Compliance: within 3 months from the date this notice takes effect.

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on the 22nd of November 2023 unless an appeal is made against it beforehand.

Dated: 18th of October 2023

Signed 

Managing Director of South London Legal Partnership
On behalf of the Council of the London Borough of Richmond upon Thames

Address to which all communication should be sent:-
Head of Legal Services, South London Legal Partnership, Gifford House, 67c St Helier Avenue, Morden, Surrey SM4 5DX (Ref: ABA-511/1471)

YOUR RIGHT OF APPEAL

You can appeal against this notice in writing to the Secretary of State, but any appeal must be received, or posted in time to be received, by the Planning Inspectorate before the notice takes effect. The enclosed Explanatory Note and Information Sheet set out the procedure to be followed if you wish to appeal.

FEE PAYABLE FOR THE DEEMED APPLICATION

If your ground of appeal is or includes ground (a) that planning permission should be granted, an appeal fee is payable, which is double that payable for a normal planning application. The total fee payable is £412.00.

Please email planenf@merton.gov.uk requesting instructions to pay or call 020 8545 3777 to make payment.

Joint appellants need only pay one set of fees.

WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this enforcement notice, it will take effect on the date indicated above and you must then ensure that the notice is complied with. Failure to comply with an enforcement notice that has taken effect, is a criminal offence and can result in legal proceedings and/or remedial action by the Council.

PERSONS SERVED WITH A COPY OF THIS ENFORCEMENT NOTICE

1. FRIEND'S PROPERTY PORTFOLIO LIMITED (Company Registration Number 05837615) of 20 Queens Road, Morden, Surrey, SM4 5DF.
2. THE MORTGAGE WORKS (UK) PLC (Company Registration Number 02222856) of Nationwide House, Pipers Way, Swindon, SN38 1NW.
3. THE OWNER/OCCUPIER of 205 London Road, Morden, SM4 5PT.

H. M. LAND REGISTRY

NATIONAL GRID PLAN
GREATER LONDON

TQ 2567 SECTION C

Scale 1/1250

BOROUGH OF MERTON



Old Reference SURREY XIII.3.L.

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TITLE No. P 14305 1