

**IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY**

**TOWN AND COUNTRY PLANNING ACT 1990**

**BREACH OF CONDITION NOTICE**

**Enforcement ref:24/E0026**

**TO: Z2-Investment -1 Limited  
Company Registration No: 10715334  
20-22 Wenlock Road  
London  
N1 7GU**

**ISSUED BY: THE LONDON BOROUGH OF MERTON ('the Council')**

1. **THIS IS A FORMAL NOTICE** issued by the Council under section 187A of the above Act because it considers that certain conditions imposed on a grant of planning permission relating to the land described below have not been complied with. The Council considers that you should be required to comply or secure compliance with the conditions specified in this notice.

2. **THE LAND AFFECTED**

24A & B Cottenham Park Road, West Wimbledon, London SW20 0RZ shown edged red on the attached plan hereto ('the Land'). The Land is registered with HM Land Registry under title number TGL116088.

3. **THE RELEVANT PLANNING PERMISSION**

The relevant planning permission to which this notice relates is ref 22/P3729 granted on 27 September 2023 for:

Demolition of existing building and erection of 2 x four storey semi- detached dwellinghouses.

A copy of planning permission ref 22/P3729 is attached.:

4. **THE BREACH OF CONDITION**

The following conditions of planning permission 22/P3729 have not been complied with:

### Condition 12

No development shall take place, including any works of demolition, until a Demolition/Construction Environmental Management Plan has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for: -the parking of vehicles of site operatives and visitors -loading and unloading of plant and materials -storage of plant and materials used in constructing the development -the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate -wheel washing facilities - measures to control/monitor the emission of noise during demolition/construction - measures to control/monitor the emission of dust and dirt during demolition/construction -a scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason: To protect the amenities of occupiers in the local vicinity during the development. To comply with Policy DM D2 of the Merton Sites and Policies Plan 2014.

### Condition 13

The development shall not commence until details of the provision to accommodate all site workers', visitors' and construction vehicles and loading /unloading arrangements during the construction process have been submitted to and approved in writing by the Local Planning Authority. The approved details must be implemented and complied with for the duration of the construction process.

Reason: In the interests of highway safety.

The Construction Logistics Plan ('CLP') submitted by the developers was to help minimise disruptions including but not limited to noise and dust, to the public.

**Within this discharge application Construction Management Plan, it is noted that deliveries must not be in peak times 07.00 – 09.00 and 16.00 – 19.00.**

## 5. WHAT YOU ARE REQUIRED TO DO

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

To fully comply with the requirements of the Demolition & Construction Environmental Management Plan by ensuring that;

- Planning and managing both vehicles and pedestrian routes; Staging of deliveries such that the volume of traffic is to avoid peaks and controlling vehicular movement throughout the project and minimising reversing by reducing the amount of HGV arriving at any given time
- Providing provision of signs and barriers for HGVs for delivering and loading
- Providing trained banks person on site at all times
- Provide wheel washing facilities on site

- Provide on-site offices
- Provide parking for contractors
- No deliveries in peak times 07.00 – 09.00 and 16.00 – 19.00

**Time for compliance: within twenty-one days (21) days after this notice is served on you.**

**6. WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect immediately it is served on you.

Dated: **20<sup>th</sup> March 2024**

Signed



Managing Director of South London Legal Partnership

Address to which all communication should be sent: -

Managing Director, South London Legal Partnership, Gifford House, 67c St Helier Avenue, Morden, Surrey, SM4 5DX (Ref: JF/LEG/511/1524)

**WARNING: THERE IS NO RIGHT OF APPEAL 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 £2,500 for a first offence and for any subsequent offence.

If you are in any doubt about what this notice requires you to do, you should contact the Council's Planning Enforcement Officer Michael Boateng on 020 8545 4287.

If you do need independent advice about this notice, you are advised to contact urgently a lawyer, 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.

