

**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 30 Greenwood Road, Mitcham, CR4 1PE in the London Borough of Merton shown edged red on the attached plan and is registered under Land Registry title number SY28590 ('the Land').

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

Without planning permission and within the last four years:

- (i) the installation of timber frames and green netting above the existing timber fence (the "Timber Frames" and "Netting"); and
  - (ii) the installation of trellis to the rear-side boundary between no. 30 and 32 Greenwood Road (the "Trellis");
- and together called (the "Developments").

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 and it is not immune from enforcement action.
- (b) The Developments at the rear of the Land, sited on the boundary, adjacent to no. 32 Greenwood Road exceed the permitted development rights of 2 metres. Therefore, the height of the Developments increases the sense of enclosure, particularly near the main dwelling where the height reaches 3 metres.

- (c) The Developments by the virtue of their size, siting and design are considered visually obtrusive, incongruous and unsympathetic to the character and appearance of the dwelling, locality, and character of the area in general. It is therefore considered that the Developments conflict with Policies DM D1 and DM D2 of the Adopted Supplementary 2014: policy CS 14 of the LBM Core strategy 2011 and policies D4 of the London Plan 2021.

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

- (a) Complete removal of the Timber Frames above the existing timber fence and Trellis to the rear-side boundary between no. 30 and 32 Greenwood Road;
- (b) Complete removal of the Netting above the existing timber fence and Trellis to the rear-side boundary between no. 30 and 32 Greenwood Road;
- (c) Permanently remove all materials, fixtures, fittings and debris associated with compliance arising from 5 (a) and 5 (b) above and completely remove off site.

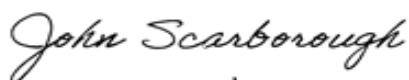
Time for Compliance: within 1 month from the date this notice takes effect.

## **6. WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on the 18<sup>th</sup> of April 2024 unless an appeal is made against it beforehand.

Dated: 14<sup>th</sup> of March 2024

Signed



Managing Director of South London Legal Partnership  
On behalf of the Council of the London Borough of Merton

Address to which all communication should be sent:-  
Head of Legal Services, South London Legal Partnership, Merton Civic Centre, London Road, Morden, Surrey SM4 5DX (Ref: ABA-511/1521)

## **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 £516.00.

Please email [planenf@merton.gov.uk](mailto: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. CLAUDE CURMI-YOUNG of 30 Greenwood Road, Mitcham, Surrey CR4 1PE.
2. ALISON CURMI-YOUNG of 30 Greenwood Road, Mitcham, Surrey CR4 1PE.
3. THE OWNER/OCCUPIER of 30 Greenwood Road, Mitcham, CR4 1PE.

# H. M. LAND REGISTRY

NATIONAL GRID PLAN  
GREATER LONDON

TQ 2968

SECTION K

Scale 1/1250

BOROUGH OF MERTON



Old Reference SURREY XIV I BY.

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**TITLE No. SY 28590**

