

**IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY**

**TOWN AND COUNTRY PLANNING ACT 1990**

**ENFORCEMENT NOTICE – OPERATIONAL DEVELOPMENT**

**Enforcement Reference: 22/E0001**

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 37 Octavia Close, Mitcham, CR4 4BY in the London Borough of Merton shown edged red on the attached plan and is registered under Land Registry Title Number SGL494251 ('the Land').

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

Without planning permission the unauthorised erection of a front porch on the Land ("the Porch").

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 Porch by the virtue of its size, siting and design is considered visually obtrusive, incongruous and unsympathetic to the character and appearance of the dwelling, locality, and character of the area in general. Therefore it is considered that the Porch conflicts with Policies DM D1, D2, D3 and DM D4 of Merton's sites and policies Plan 2014; CS 1 and CS 14 of Merton's Core strategy 2011. D4 and HC1 of the London Plan 2021.

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

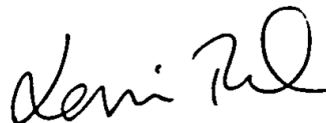
- (a) Permanently remove the Porch; and
- (b) Remove from the Land all materials and debris accumulated as a result of compliance with step 5(a) above

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

## 6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 5<sup>th</sup> May 2023 unless an appeal is made against it beforehand.

Dated: 3<sup>rd</sup> April 2023



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, Gifford House, 67c St Helier Avenue, Morden, Surrey SM4 5DX (Ref: HB/511-1407)

### **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, you must include with your appeal a fee, which is double that payable for a normal planning application. The total fee payable is £412 that must be paid by way of a cheque made out to the London Borough of Merton

### **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. THE OWNER / OCCUPIER of 37 Octavia Close, Mitcham, CR4 4BY
2. DANIEL OWEN of 27 Brampton Road, Croydon CR0 6JN and of 37 Octavia Close, Mitcham, CR4 4BY
3. SANTANDER UK PLC of 2 Triton Square, Regent's Place, London NW1 3AN

