



PHOENIX GRP INVESTMENTS LIMITED
Company Secretary
23a Kenilworth Gardens, Hayes,
Middlesex UB4 0AY.

London Borough of Merton
Merton Civic Centre
London Road
Morden, SM4 5DX
DX 41650 Morden

Telephone: 02085454352

Email: raymond.yeung@merton.gov.uk

Ref: 22/E0279

Date: 12th January 2023

To the Company Secretary,

The Town and Country Planning Act 1990 (As Amended)

Address: Land at 315 London Rd, Mitcham CR4 4BE

Alleged breach: Without planning permission: The unauthorised material change of use of the public house and ancillary car parking to a House of Multiple Occupation, storage, scrapyards and parking of motor vehicles for residential accommodation.

It appears to the Council that there may have been a breach of planning control in respect of the above site:- **Land at 315 London Rd, Mitcham CR4 4BE**

As a preliminary step in the enforcement procedure and to clarify if there is a breach further information is required. To ensure that all the facts are available I have enclosed a Planning Contravention Notice under Section 171C of the Town and Country Planning Act 1990.

The Notice requires you to supply information. The Notice must be responded to by the person or company it is served on. Paragraph 3 of the Notice specifies the breach of planning control that may have taken place.

You should ensure that your response is received within **21 days** beginning with the day on which this Notice is served on you. Paragraph 5 explains how to make a representation in response to the notice and sets out the penalties if you do not respond to the Notice within 21 days or for giving false or misleading information.

If you have any queries about completing this Notice, please contact the officer dealing with the case whose contact information is set out above. You should note that even if you do contact the officer, the above requirements and deadlines still apply.

Yours Sincerely



Raymond Yeung
Planning Enforcement Team Leader

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED BY THE
PLANNING AND COMPENSATION ACT 1991)**

PLANNING CONTRAVENTION NOTICE

ISSUED BY THE LONDON BOROUGH OF MERTON

To: PROPRIETOR:

Land at 315 London Rd, Mitcham CR4 4BE

1. **THIS NOTICE** is served because it appears to the Council that there may have been a breach of planning control within section 171A(1) of the above Act at the land described below.

This Notice is served on you as a person who –

- (a) is the owner or occupier of the land or has any other interest in it
or
- (b) is carrying out operations in, on, over or under the land or is using it for any purpose.

2. **THE LAND TO WHICH THIS NOTICE RELATES**

Land known as of **Land at 315 London Rd, Mitcham CR4 4BE**

3. **THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL**

Without planning permission: The unauthorised material change of use of the public house and ancillary car parking to a House of Multiple Occupation, storage, scrapyards and parking of motor vehicles for residential accommodation.

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

In exercise of their powers under section 171C(2) and (3) of the Act, the Council require you, so far as you are able, to give the following information in writing **within 21 days**, beginning with the day on which this Notice is served on you.

Please use/provide additional pages if you require more space for your answers.

1. Please give your official name and address.
2. Please state the nature of your interest in the Land (e.g. freeholder, tenant, or occupier).
3. Please give the name(s) of any and every other person(s) having any interest in the Land (e.g. freeholder, leaseholder, mortgagee or, tenant, occupier, licensee) and the nature of that interest
4. Please state the date upon which you acquired your interest in the land.
5. Please confirm the date the 'Burn Bullock' public house ceased use on the land.
6. Please confirm when you started to let the car park to other parties; HMO use of the main building i.e sale of cars, motor repairs, pitches for vans for residential purposes /trucks, parking of cars, storing of items, scrapyard use, please provide dates for each use, and the reasons why you have decided to let the land for such use.
7. Please confirm if motor vehicles are being sold or traded on the land.

8. Please confirm whether any other purposes on the land are commencing and please state what for.
9. Please provide the number of people staying in the main building on site (formerly Burn Bullock public house) and please confirm whether they are squatters or guardians and the reasons why they are on the site?
10. Please confirm whether either the tenants in the main building or the vans in the car park are paying you money for staying on the land and please provide written details such as invoices/tenancy agreements or any other paperwork to support this.
11. Please confirm the number of tenants living on the land (both within the building and in the vehicles in the car park) -please provide an estimate if you cannot provide the precise number.
12. Please state whether there have been any efforts into reinstating the land back to its former use and state the dates and what was done about this, if there is no effort, please state the reason for this.
13. Please state whether there have been any efforts into reinstating/restoration/refurbishing the listed main building and state the dates and what was done about this, if there is no effort, please state the reason for this.
14. It is apparent that the building has some physical interventions to facilitate residential accommodation, please state whether you instructed this and the date of such works.

15. It is apparent that electrical wires are relocated outside the building, please state the reasons for this and when this started.
16. Please confirm what is your intention of the land, the reasons why and the timeframe for such plans and how you intend to implement this.

5. OPPORTUNITY TO MAKE REPRESENTATIONS IN RESPONSE TO THIS NOTICE

If you wish to make –

- (a) Any representations about this Notice

please email raymond.yeung@merton.gov.uk, call the number above or write to Raymond Yeung, Planning Enforcement, London Borough of Merton, Merton Civic Centre, London Road, Morden, SM4 5DX

Dated: 12th January 2023

Signed



Raymond Yeung
Council's Authorised Officer

WARNING

1. It is an offence to fail, without reasonable excuse, to comply with any requirements of this Notice within twenty-one days beginning with the day on which it was served on you. The maximum penalty on conviction of this offence is a fine of £1,000. Continuing failure to comply following a conviction will constitute a further offence.

2. It is also an offence knowingly or recklessly to give information, in response to this Notice, which is false or misleading in a material particular. The maximum penalty on conviction of this offence is a fine of £5,000.

ADDITIONAL INFORMATION

1. If you fail to respond to this Notice, the Council may take further action in respect of the suspected breach of planning control. In particular, they may issue an enforcement notice, under section 172 of the Act, requiring the breach, or any injury to amenity caused by it, to be remedied.
2. If the Council serve a stop notice, under section 183 of the Act, section 186(5)(b) of the Act provides that should you otherwise become entitled (under section 186) to compensation for loss or damage attributable to that notice, no such compensation will be payable in respect of any loss or damage which could have been avoided had you given the Council the information required by this Notice, or had you otherwise co-operated with the Council when responding to it.

Once you have completed this form, please return it to the following address:

Raymond Yeung
Planning Enforcement (9th Floor)
London Borough of Merton
Merton Civic Centre
London Road
Morden, Surrey, SM4 5DX

Or email to:
RaymondYeung@merton.gov.uk

