

**IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY**

**TOWN AND COUNTRY PLANNING ACT 1990**

**ENFORCEMENT NOTICE – CHANGE OF USE**

**ISSUED BY THE LONDON BOROUGH OF MERTON**

Ref: 21/E0050

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 59 Epsom Road Morden SM4 5PR** in the London Borough of Merton shown edged red on the attached plan ('the Land').

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

Without planning permission, the use of the outbuilding at the rear of the Land as a self-contained residential unit.

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 change of use has a negative effect on the neighbouring properties and local residents in terms of noise as the occupiers would use the alley way on a daily basis; the front of the garage/outbuilding has been fenced off to provide a private amenity space. This would result in further noise issues when in use by any occupiers. The amenity space enjoyed by the occupiers of the host site has been reduced. The gardens abutting the alleyway are open spaces and are open to crime, no preventive design measures have been taken into consideration to combat crime. It is considered that the development conflicts with Policies DM D1, DM D2, DM D3, DM H2, DM H3, DM T1, DM T2, of Merton's sites and Policies Plan 2014. CS 8 , CS 14 - Design Policy, CS 15, CS17, CS18, CS19; D3, D4, D5, 14, H1, H10, T4 and T5 of the London Plan 2021. Chapter 12 of the National Planning Policy Framework 2021

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

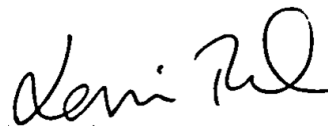
- (a) Permanently cease the use of the outbuilding on the Land as a self-contained residential unit.

- (b) Permanently remove from the outbuilding all fixtures and fittings that facilitate the unauthorised use including cooking facilities, kitchen units, sinks, worktops, appliances, cooker and food preparation areas and cut the electric supply
- (c) Permanently remove from the Land all materials and debris associated with the compliance (a) and (b) above

Time for Compliance: within six (6) months from the date this notice takes effect.

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

This notice takes effect on 24 April 2023 unless an appeal is made against it beforehand.



Dated: 24 March 2023

Signed.....  
Managing Director of South London Legal Partnership

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: CS/LEG/RO/511/1401)

## **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 £924.00 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. Neil Jonathan Standley, 27 Stoughton Close, London SW15 4LS
2. Neil Jonathan Standley, 59 Epsom Road, Morden SM4 5PR
3. Neil Jonathan Standley, 59A Epsom Road, Morden SM4 5PR
4. The Occupier, 59 Epsom Road, Morden SM4 5PR
5. The Occupier, 59A Epsom Road, Morden SM4 5PR
6. The Occupier, Outbuilding 59 Epsom Road, Morden SM4 5PR
7. Onesavings Bank Plc, Reliance House, Sun Pier, Chatham, Kent ME4 4ET

