

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990

ENFORCEMENT NOTICE – OPERATIONAL DEVELOPMENT

ISSUED BY THE LONDON BOROUGH OF MERTON

Enforcement reference: 21/E0201

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 31 Stanford Way, Streatham SW16 4HF 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 installation of French doors leading to the first-floor roof, creating a roof terrace on the Land.

4. **REASONS FOR ISSUING THIS NOTICE**

- 4.1 The French doors leading to the first-floor rear roof terrace have been installed within the last 4 years and is not immune to enforcement action.
- 4.2 The installation of the French doors leading to the first floor rear roof terrace has a negative impact on the neighbouring properties and local residents in terms of visual intrusion into the neighbours and surrounding properties private amenity/garden space contrary to Policies DM D1, DM D2, DM D3, DM EP2 of Merton's sites and Policies Plan 2014. CS 14 - Design Policy of Merton's Core Policy 2011D2, D3 D14 of the London Plan 2021 and Chapter 12 of the National Planning Policy Framework 2021.
- 4.3 The noise from the new roof terrace when used would carry through to the surrounding gardens during longer days of daylight and would negatively impact the neighbours and surrounding residents when they are using their gardens during these hours contrary to Policies DM D1, DM D2, DM D3, DM EP2 of Merton's sites and Policies Plan 2014. CS 14 - Design Policy of Merton's Core Policy 2011D2, D3 D14 of the London Plan 2021 and Chapter 12 of the National Planning Policy Framework 2021.

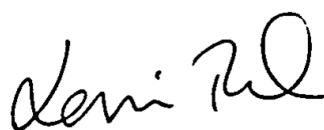
5. WHAT YOU ARE REQUIRED TO DO

- 5.1 Permanently remove the French doors leading to the roof terrace and reinstate the windows to original and make good.
- 5.2 Permanently remove from the Land all fixtures and fittings resulting from compliance with 5.1 above.

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

6. WHEN THIS NOTICE TAKES EFFECT

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



Dated: 24 May 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/511/1433)

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 £412.00. Please email 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.