

**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 153A Dorset Road Merton Park London SW19 3EQ** in the London Borough of Merton shown edged yellow on the attached plan ('the Land').

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

Without planning permission, the conversion of the outbuilding on the Land into 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 conversion of the outbuilding to a self-contained unit, by reason of size and layout would fail to provide an acceptable standard of residential accommodation and living space resulting in a cramped and unsatisfactory standard of accommodation to the detriment of the amenities of current and future occupiers contrary to policy D6 of the London Plan 2021.
- (c) The conversion of the outbuilding to a self-contained unit, does not provide sufficient secure, integrated, convenient and accessible cycle parking nor refuse and recycling facilities, contrary policy T5 and SI7 and SI8 of the London Plan 2021.
- (d) The use of the outbuilding as a separate self-contained residential unit creates a harmful impact to amenity to the host and neighbouring properties by reasons of noise, lack of privacy and disruption and creates limited outdoor amenity space for both the occupiers of the outbuilding and the main dwelling on the site. It is considered that the development conflicts with Policies DM D1, D2 of Merton's sites and policies Plan 2014; CS 14 of Merton's Core strategy 2011 and D4, D14 of The London Plan 2021.

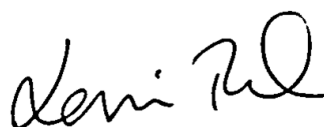
## 5. WHAT YOU ARE REQUIRED TO DO

- (a) Permanently cease the use of the outbuilding as a self-contained residential unit.
- (b) Permanently remove all fixtures and fittings that facilitate the unauthorised use including cooking facilities, kitchen units, sinks, worktops, appliances, cooker and food preparation areas.
- (c) Permanently remove from the Land all materials, fixtures, fittings and debris associated with the compliance (a) and (b) above.

Time for Compliance: within three (3) months from the date this notice takes effect.

## 6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 7 March 2023 unless an appeal is made against it beforehand.



Dated: 7 February 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/511/1381)

### **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 £988.40 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. Faroukh Hampshire, 153 Dorset Road, Merton Park, London SW19 3EQ
2. Fay Hampshire, 153 Dorset Road, Merton Park, London SW19 3EQ
3. The Occupier, 153 Dorset Road, Merton Park, London SW19 3EQ
4. The Owner/Occupier, Outbuilding, 153 Dorset Road, Merton Park, London SW19 3EQ
5. The Owner/Occupier, 153A Dorset Road, Merton Park, London SW19 3EQ
6. Santander UK Plc, Deeds Services, 101 Midsummer Boulevard, Milton Keynes MK9 1AA