

ENVIRONMENT AND REGENERATION DEPARTMENT

Director – Chris Lee

SUSTAINABLE COMMUNITIES

Head of Sustainable communities – James McGinlay



**Land at the rear of Parkside House, 52/54 High Street, Wimbledon,
London SW19 5AY**

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990

(As amended by the Planning and Compulsory Purchase Act 2004)

TEMPORARY STOP NOTICE

SERVED BY: the London Borough of Merton herein after referred to as “the Council”.

To: Anthony Ferguson, Parkside House, 52/54 High Street, Wimbledon, London SW19 5AY

Owner/Occupier, Parkside House, 52/54 High Street, Wimbledon, London SW19 5AY

Director Parkside House Ltd, 5a Frascati Way, Maidenhead SL6

Director Parkside House Ltd, 31A Charnham Street, Hungerford, Berkshire, RG17 0EJ

Director, Checkout (Wimbledon) Ltd, 52 Wimbledon High Street, SW19 5AY, C/O 7-8 Great James Street, London WC1N 3DF

1. On the 30th December 2021 the Council issued a Temporary Stop Notice in respect of an alleged breach of planning control on the land described in a paragraph 4 below. The said notice has been withdrawn on account of an error in relation to the date of service referenced therein. The Council has now issued a further Temporary Stop Notice dated 31st December 2021 in respect of the land and the alleged breach of planning control.

2. This temporary stop notice is issued by the Council, in exercise of their power in section 171E of the 1990 Act, because they think that it is expedient that the activity specified in this notice should cease on the land described in paragraph 4 below. The Council now prohibits the carrying out of the activity specified in this notice. Important additional information is given in the Annex to this notice.

3. THE REASONS FOR ISSUING THIS NOTICE

It appears to the Council that the breach of planning control illustrated below has occurred within the last four years.

The Council considers the works being undertaken are taking place without the benefit of planning permission and that they are harmful to the character, appearance and visual amenity of Wimbledon Village Conservation Area and the immediate surrounding area and are thereby contrary to the following policies:-

NPPF 2019

Section 12 Achieving well designed places

Section 14 Meeting the Challenge of climate change, flooding and coastal change

Section 16 Conserving and enhancing the historic environment

London Plan 2021

Policy D4 Delivering Good Design

Policy HC1 Heritage Conservation and Growth

Merton Core Planning Strategy 2011

Policy CS6 surrounding area of Wimbledon Town Centre

Policy CS14 Design

Future Merton Sites and Policies Plan and policies Map 2014

DM D2 design considerations in all developments

DM3 Alterations and extensions to existing buildings.

For the reasons above it is considered expedient to serve a Temporary Stop Notice to remedy the breach of planning control identified.

4. THE LAND TO WHICH THIS NOTICE RELATES

Land at the rear of Parkside House, 52/54, High Street, Wimbledon, London, SW19 5AY, shown outlined in red on the attached plan.

5. ACTIVITY TO WHICH THIS NOTICE RELATES

Without the benefit of planning permission the erection of a rear extension to the ground floor commercial unit at the rear of Parkside House, 52/54, High Street, Wimbledon, London, SW19 5AY

6. WHAT YOU ARE REQUIRED TO DO

Cease all building works to the rear ground floor extension to the commercial unit.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 31st December 2021 when all the activity specified in this notice must cease. This notice will cease to have effect on 27th January 2022.

Dated: 31st December 2021

Signed: 

Managing Director, South London Legal Partnership on behalf of Merton Council Civic Centre, London Road, Morden SM4 5DX

ANNEX

WARNING

THIS NOTICE TAKES EFFECT ON THE DATE SPECIFIED IN PARAGRAPH 7.

THERE IS NO RIGHT OF APPEAL TO THE SECRETARY OF STATE AGAINST THIS NOTICE.

*It is an offence to contravene a temporary stop notice after a site notice has been displayed or the temporary stop notice has been served on you (section 171G(1) of the 1990 Act). If you then fail to comply with the temporary stop notice you will be at risk of **prosecution**, for which the maximum penalty on conviction is an unlimited fine. If you are in any doubt about what this notice requires you to do, you should get in touch **immediately** with Luxmi Ghosh Ninth Floor, Civic Centre, London Road, Merton, London SM4 5DX, 0208 545 3160. If you need independent advice about this notice, you are advised to contact urgently a lawyer, planning consultant or other professional adviser specialising in planning matters. If you wish to contest the validity of the notice, you may only do so by an application to the High Court for judicial review.*

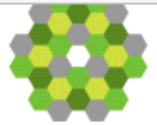
S.171G. Temporary stop notice: offences

(1) A person commits an offence if he contravenes a temporary stop notice—

- (a) which has been served on him, or
 - (b) a copy of which has been displayed in accordance with section 171E(5).
- (2) Contravention of a temporary stop notice includes causing or permitting the contravention of the notice.
- (3) An offence under this section may be charged by reference to a day or a longer period of time.
- (4) A person may be convicted of more than one such offence in relation to the same temporary stop notice by reference to different days or periods of time.
- (5) A person does not commit an offence under this section if he proves—
- (a) that the temporary stop notice was not served on him, and
 - (b) that he did not know, and could not reasonably have been expected to know, of its existence.
- (6) A person convicted of an offence under this section is liable—
- (a) on summary conviction, to a fine not exceeding £20,000;
 - (b) on conviction on indictment, to a fine.
- (7) In determining the amount of the fine the court must have regard in particular to any financial benefit which has accrued or has appeared to accrue to the person convicted in consequence of the offence.

HM Land Registry
Official copy of
title plan

Title number **SGL813664**
Ordnance Survey map reference **TQ2371SE**
Scale **1:1250**
Administrative area **Merton**



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The land in this title lies within the area edged red hereon and is more particularly described in the lease or leases referred to in the property register.



