

**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 102 Windermere Road London SW16 5HE** in the London Borough of Merton shown edged red on the attached plan ('the Land').

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

The unauthorised erection of a large rear dormer roof extension on the Land, without planning permission.

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 erection of the unauthorised rear dormer roof extension is contrary to the following policies of the London Borough of Merton Unitary Development Plan (October 2003):

BE.23 (Alterations and extensions to buildings)

BE.24 (Roof extensions and dormer windows)

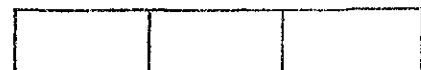
Supplementary Planning Guidance (Residential extensions, alterations and conversions)

Copies of the above policies are attached.

(c) The rear dormer roof extension by reason of its form, scale, proportions and design in an unsympathetic addition to the existing building, being unduly dominant and detracting from the appearance of the existing building and is harmful to visual amenities of the area.

LONDON BOROUGH OF MERTON

26 MAR 2008



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

(a) Build the rear dormer roof extension in accordance with planning permission 05/P2109 (copy attached)

**OR**

(b) Demolish and remove the unauthorised rear dormer roof extension from the Land

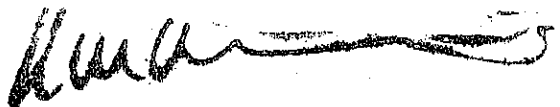
(c) Remove from the Land and lawfully dispose of all surplus materials and debris resulting from compliance with either (a) or (b).

**Time for Compliance: within 4 months from the date this notice takes effect.**

**6. WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on 7 May 2008 unless an appeal is made against it beforehand.

Dated: 26 March 2008

Signed   
Head of Civic and Legal Services

Address to which all communication should be sent:-  
Head of Civic and Legal Services, London Borough of Merton, Merton Civic Centre,  
London Road, Morden, Surrey SM4 5DX (Ref: CS/LEG/RO/ENVP1329)

**YOUR RIGHT OF APPEAL**

You can appeal against this notice by using the Enforcement Notice Appeal forms enclosed with this notice or by submitting an appeal online ([www.planningportal.gov.uk/pes](http://www.planningportal.gov.uk/pes)). Please note however that any appeal must be received, or posted in time to be received, by the Planning Inspectorate before the date this notice takes effect. The enclosed booklet "Making Your Enforcement Appeal" sets out your rights and the procedure to be followed. Read it carefully. You should also read sections 171-177 of the Act which are also enclosed. If you decide to appeal, you should send two copies of the enclosed appeal forms and one copy of the enforcement notice, to the Planning Inspectorate. The other appeal form and the other copy of the enforcement notice are for you to keep for your own records.

LONDON BOROUGH OF MERTON

**26 MAR 2008**

--	--	--

### 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 **£270.00**.

Half the fee is payable to the Planning Inspectorate and half to the Council.

You should therefore send:

One cheque for **£135.00** payable to 'DCLG' to the Planning Inspectorate

One cheque for **£135.00** payable to 'London Borough of Merton' to the Council

The fee can be sent with your appeal form.

### 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.

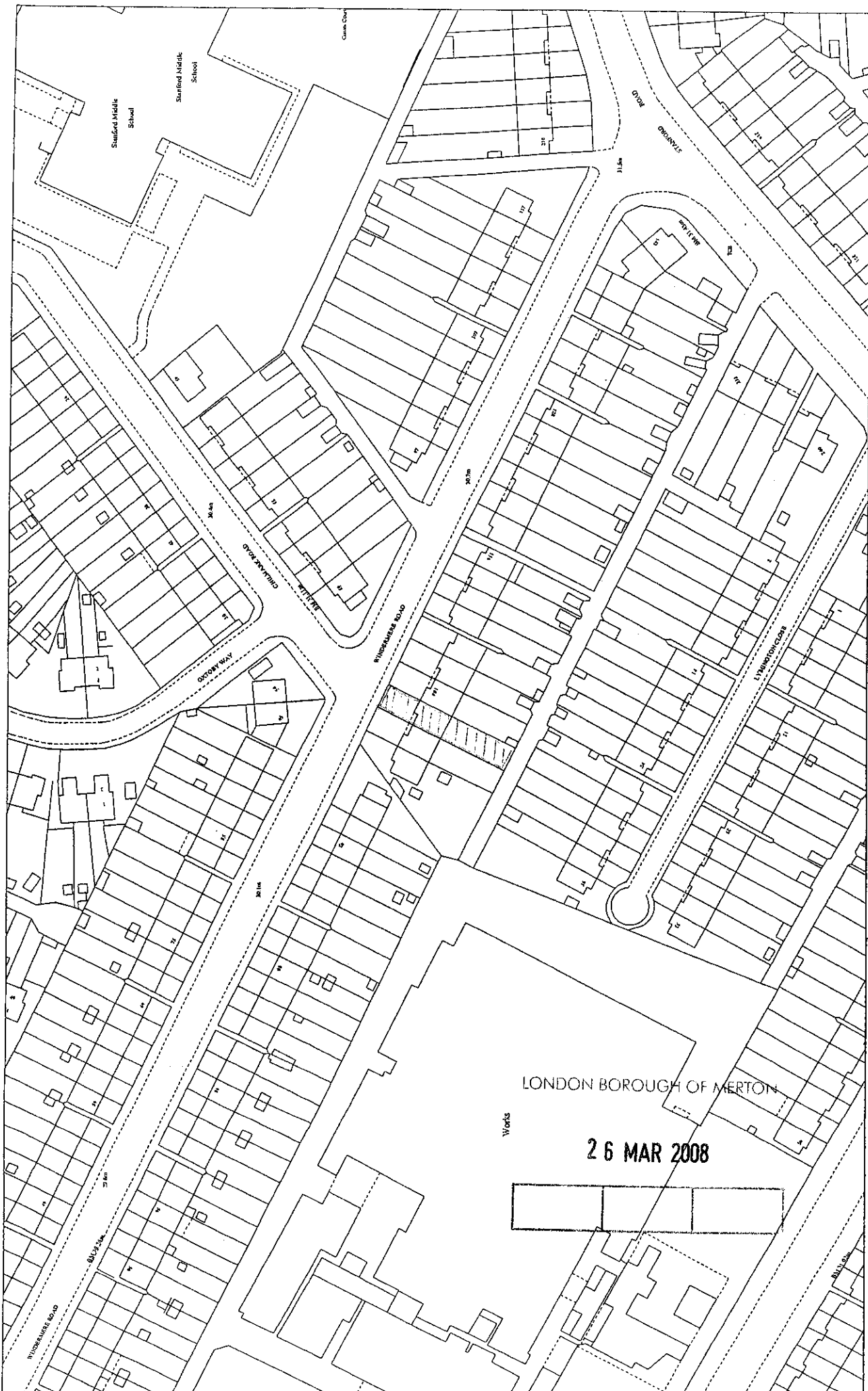
### PERSONS SERVED WITH A COPY OF THIS ENFORCEMENT NOTICE

1. Harold George Patten  
102 Windermere Road  
London  
SW16 5HE
2. Abbey National Plc  
101 Midsummer Boulevard  
Milton Keynes  
MK9 1AA

LONDON BOROUGH OF MERTON

26 MAR 2008

--	--	--



102 Windermere Rd  
 Streatham  
 SW16

Scale = 1: 1250

Date Printed: 09/05/06

**LONDON BOROUGH OF MERTON**  
**Environmental Services Department**

Civic Centre, London Road, Morden, Surrey, SW4 5DX  
 Telephone: 020 8543 2222 Web: www.merton.gov.uk

LONDON BOROUGH OF MERTON

Works

26 MAR 2008

