

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 108 Canterbury Road, Morden, Surrey SM4 6QP 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 carrying out of development on the Land, involving the following:

erection of a single storey rear and side extension.

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 ground floor extension, by reason of design, scale and position represents an inappropriate form of development, harms the residential amenities of neighbouring properties in terms of loss of outlook and privacy and is detrimental to the appearance of this group of terrace properties and to the appearance of the street scene, contrary to policies BE15 and BE23 of the London Borough of Merton's Unitary Development Plan (October 2003) and to the Supplementary Planning Guidance for residential extensions.

Copies of the above policies are attached.

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

- 1. Remove the side elevation beyond the flank elevation of the original dwellinghouse

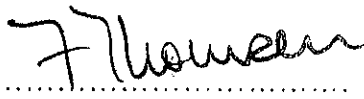
2. Reduce the depth of the extension to no more than three metres from the flank wall of the original dwellinghouse
3. Either reconstruct the extension with matching brickwork as used on the main dwellinghouse or alternatively apply a tile cladding or brick slips of similar appearance to that of the main dwellinghouse

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 **12 January 2009** unless an appeal is made against it beforehand.

Dated: 11 December 2008

Signed.....
Fiona Thomsen
Principal Lawyer

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/SL/ENVP 1409)

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/pcs). 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.

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 **£300**. Half the fee is payable to the Planning Inspectorate and half to the Council. You should therefore include:

One cheque for **£150** payable to The Department for Communities and Local Government

One cheque for **£150** payable to the London Borough of Merton

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.

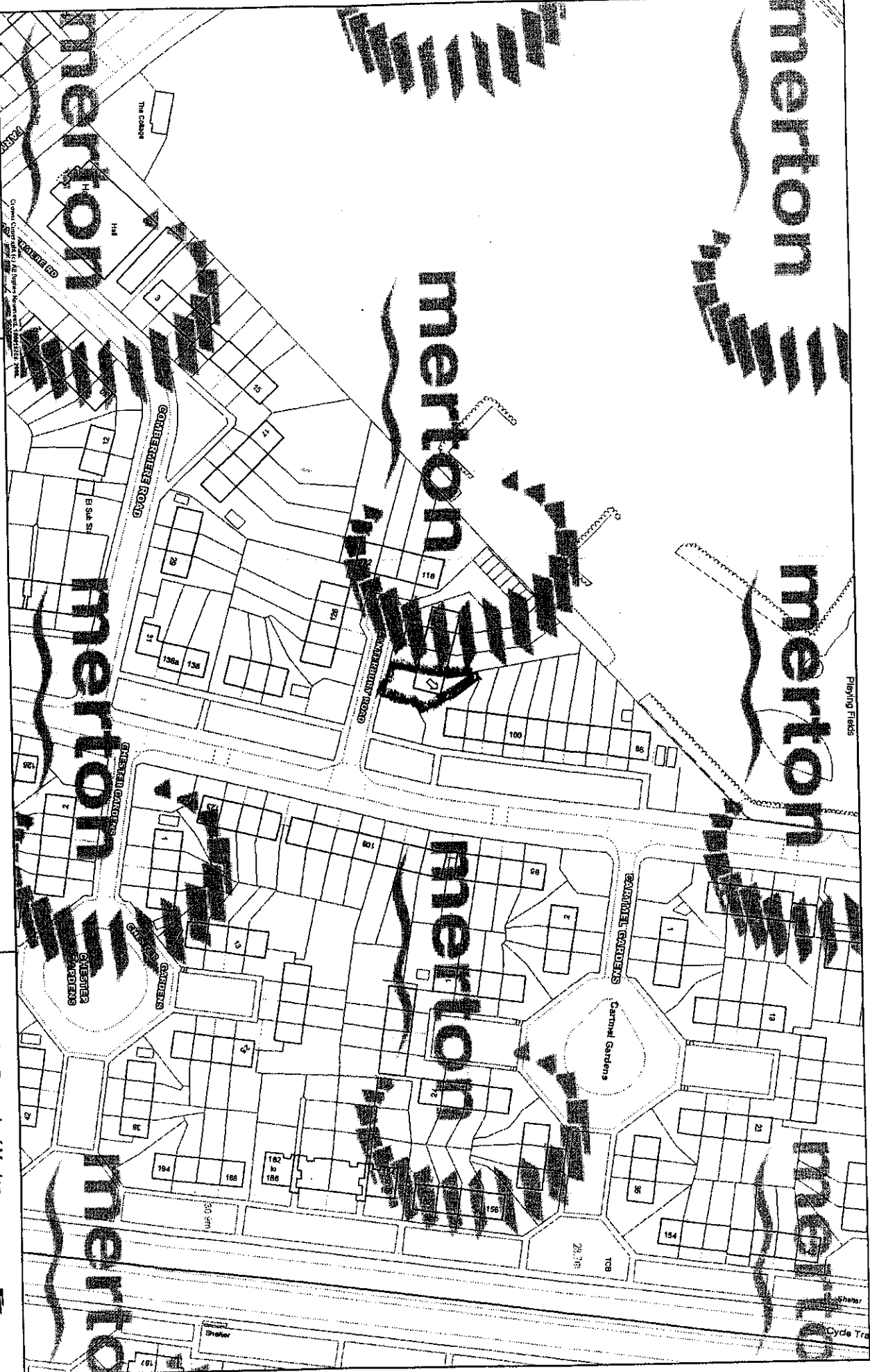
PERSONS SERVED WITH A COPY OF THIS ENFORCEMENT NOTICE

1. Bogdan Catalin Popa
108 Canterbury Road
Morden
Surrey SM4 6QP

2. Maria Titiana Popa
108 Canterbury Road
Morden
Surrey SM4 6QP

3. The Secretary
Bank of Scotland PLC
Birmingham Midshires Division
Pendeford Business Park
Wobaston Road
Wolverhampton WV9 5HZ

4. Vasilica Rusu
108 Canterbury Road
Morden
Surrey SM4 6QP



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DEVELOPMENT CONTROL

108 Canterbury Road

Morden, SM4 6QP

Scale 1/1250

Date 13/10/2008

London Borough of Merton
 100 London Road
 Morden
 Surrey
 SM4 5DX

