

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 143 Lower Morden Lane Morden Surrey SM4 4SW 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 erection of a rear roof extension involving a hip to gable extension and the installation of a hard standing in the front garden of the Land not in compliance with parameters set out within Part 1, Class F of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) 2008 as the hard surface is not made of porous material and no provision have been made to direct run-off water to a permeable or porous surface within the curtilage of the dwellinghouse.

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 roof extensions by reason of their design, bulk and siting are an inappropriate form of development, unsympathetic to the character and appearance of the property and the area as a whole, contrary to Policy BE.24 of the Adopted Merton Unitary Development Plan (October 2003) and Supplementary Planning Guidance Note; Residential Extensions, Alterations & Conversions (November 2001).
- (c) The hard standing by reason of its design and materials results in a form of development that is harmful to the amenities of the area, as it has not been constructed using porous materials and will result in an increased pressure upon drainage infrastructure, contrary to policy PE.5 (Risk From Flooding) of Merton's Adopted Unitary Development Plan (October 2003).

Copies of the above policies are attached.

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. Yamin Mohammad, 143 Lower Morden Lane Morden Surrey SM4 4SW**
- 2. Naveed Iqbal, 143 Lower Morden Lane Morden Surrey SM4 4SW**
- 3. The Governor and Company of the Bank of Ireland of Bristol & West Mortgages PO Box 27 One Temple Quay Bristol BS997AX**

5. WHAT YOU ARE REQUIRED TO DO

- (a) Demolish the rear roof and hip to gable extensions and dispose of all resulting debris to an authorised place of disposal

Time for Compliance: within 6 months from the date this notice takes effect.

- (b) Remove the hard standing and lawfully dispose of all resulting debris.

Time for Compliance: within 2 months from the date this notice takes effect.

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 2 August
unless an appeal is made against it beforehand.

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Dated: 21 June 2010

Signed.....



Head of Civic and Legal Services
London Borough of Merton

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/ERPP194)

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 **£300.00**

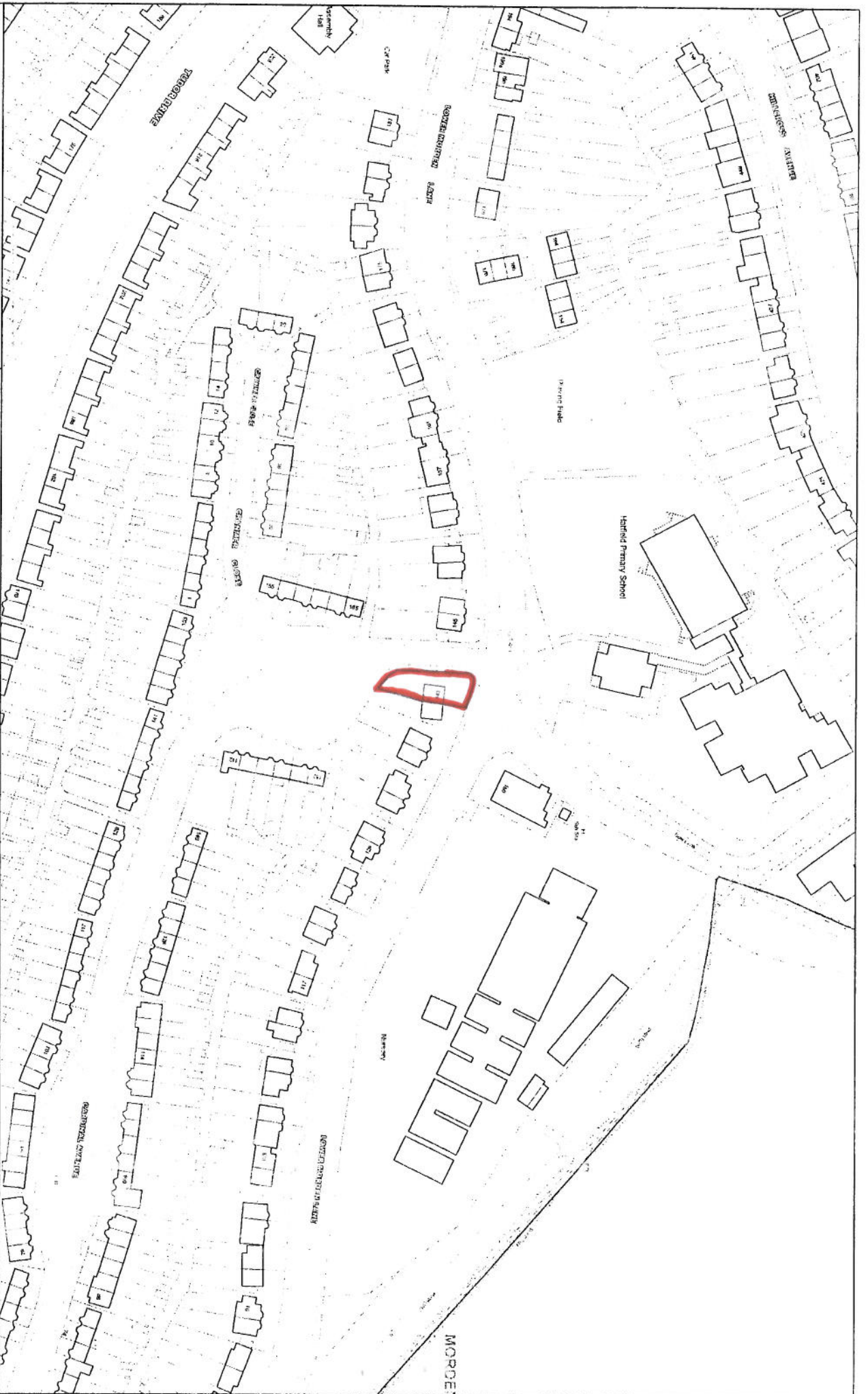
Half the fee is payable to the Planning Inspectorate and half to the Council.

You should therefore include:

One cheque for **£150.00** payable to The Department for Communities and Local Government

One cheque for **£150.00** payable to the London Borough of Merton

The fee can be sent with your appeal form.



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143 Lower Morden Lane, SM4

Scale 1/1250

Date 27/5/2010

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

