

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990

ENFORCEMENT NOTICE – MATERIAL CHANGE OF USE

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 18 Durnsford Road, Wimbledon, London SW19 8HQ, 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, a material change of use of the Land from a single family dwelling to two self-contained residential units.

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 development resulted in substandard quality accommodation, by failing to provide adequate room sizes and storage for the two bedroom upper flat in particular, contrary to Policy HS1 'Housing Layout and Amenity' of the Adopted Merton Unitary Development Plan (October 2003) and the Council's Supplementary Planning Guidance for New Residential Development.
- (c) The development resulted in substandard quality accommodation, by failing to provide direct access to outside amenity space for the two bedroom upper flat, contrary to Policy HS1 'Housing Layout and Amenity' of the Adopted Merton Unitary Development (October 2003) and the Council's Supplementary Planning Guidance for New Residential Development.

Copies of the above policies are attached.

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

- (a) Cease the use of the Land as self contained flats and revert the property to a single family dwelling house.
- (b) Remove and lawfully dispose of all surplus materials, waste and debris associated with the unauthorised use from the Land.

Time for Compliance: within **SIX MONTHS** from the date this notice takes effect.

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on **17 August 2010** unless an appeal is made against it beforehand.



Dated: 14th July 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/AW/ERPP205)

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 **£670**

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

You should therefore include:

One cheque for **£335** payable to The Department for Communities and Local Government

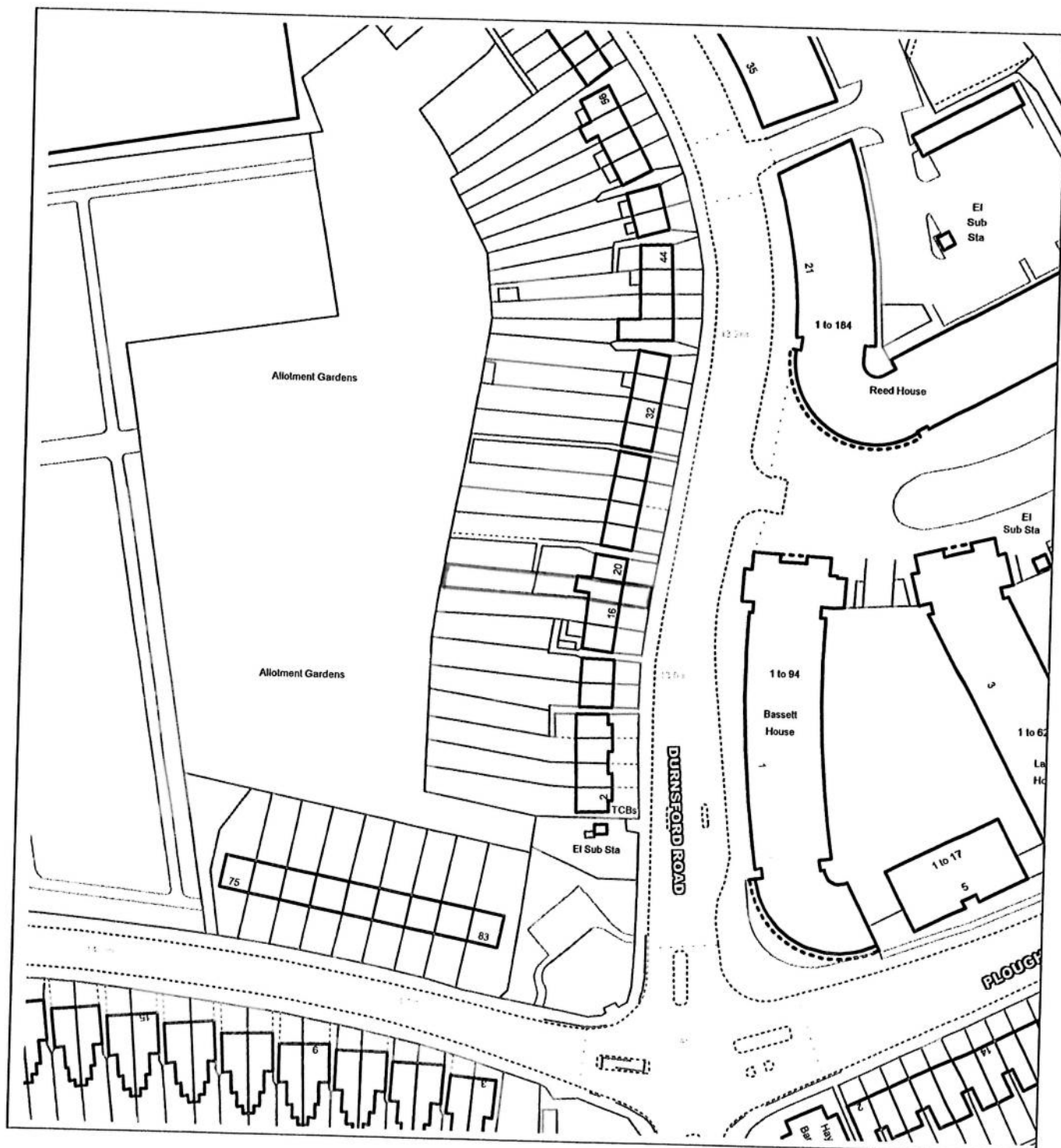
One cheque for **£335** payable to the London Borough of Merton

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.

Land at 18 Durnsford Road, London, SW19 8HQ



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