

**IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY**

**TOWN AND COUNTRY PLANNING ACT 1990 SECTION 187A**

**BREACH OF CONDITION NOTICE**

London Borough of Merton

TO: Mr Jose Reis  
26 Walpole Road  
Colliers Wood  
London SW19 2BZ

26 NOV 2008

Planning Development Control

ISSUED BY THE LONDON BOROUGH OF MERTON

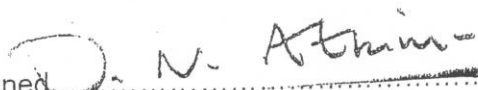
1. **THIS IS A FORMAL NOTICE** issued by the Council under Section 187A of the above Act, because it considers that a condition or conditions imposed on a grant of planning permission relating to the land described below has/have not been complied with. The Council considers that you should be required to comply or secure compliance with the condition(s) specified in this notice.
  
2. **THE LAND AFFECTED**  
  
Land at **26 Walpole Road, Colliers Wood**, in the London Borough of Merton shown edged red on the attached plan.
  
3. **THE RELEVANT PLANNING PERMISSION**  
  
The planning permission reference 04/P2278 (copy attached), was granted subject to conditions by the Council on 13 December 2004 for erection of a single storey extension to link the house to the garage in connection with conversion of the garage to form a kitchen.
  
4. **THE BREACH OF CONDITION**  
  
The following condition has not been complied with:
  1. Condition 3 the roof of the extension or flat roofed areas hereby permitted shall not be used as a balcony, roof garden, sitting out area or for any other purpose of a similar nature without the prior written consent of the Local Planning Authority
  
5. **WHAT YOU ARE REQUIRED TO DO**  
  
As the person responsible for the breach of condition specified in paragraph 4 of this notice, you are required to comply or secure compliance with the stated condition by taking the following step(s):
  1. Condition 3 cease access onto the flat roof of the rear extension and its use for storage and hanging out washing.

Within six months after this notice is served on you.

6. **WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect immediately it is served on you.

Dated: 24 November 2008

Signed   
Interim Head of Civic and Legal Services

Address to which all communication should be sent:-  
Interim Head of Civic and Legal Services, London Borough of Merton, Civic Centre, London  
Road, Morden, Surrey SM4 5DX  
(REF: LE/SLL)

**WARNING: THERE IS NO RIGHT OF APPEAL AGAINST THIS NOTICE**

It is an offence to contravene the requirements stated in paragraph 5 of this notice after the end of the compliance period.

You may then be at risk of immediate prosecution in the Magistrates' Court for which the maximum penalty is £1,000.

If you are in any doubt about what this notice requires you to do, you should contact Mr Harrington 0208 545 3836.

If you wish to challenge the validity of this notice, you may only do so by an application to the High Court for judicial review. A lawyer will advise you of what this procedure involves.

London Borough of Merton

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Planning Development Control



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DEVELOPMENT CONTROL

26 Walpole Road  
 Colliers Wood

Scale 1/1250  
 Date 31/7/2008

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

