

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 280 Coombe Lane London SW20 0RW 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 roof canopy at first floor on top of a rear roof terrace on the Land.

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 unauthorised roof canopy structure, by reason of its height and siting causes unacceptable harm to the visual amenity of the occupiers of neighbouring properties contrary to Policy BE.15 (New buildings and extensions; daylight, sunlight, privacy, visual intrusion and noise) of the London Borough of Merton Unitary Development Plan October 2003 ("the UDP").
- (c) The unauthorised roof canopy structure, by reason of its bulk and appearance fails to respect the rhythm, scale, density, proportions, height, materials and massing of surrounding buildings contrary to Policy BE.22 (Design of new buildings) of the UDP.
- (d) The unauthorised roof canopy structure, by reason of its design and the materials used fails to complement the original house and its surroundings contrary to Policy BE.23 (Alterations and extensions to buildings) of the UDP.

Copies of the above policies are attached.

5. WHAT YOU ARE REQUIRED TO DO

- (a) Remove the unauthorised roof canopy.
- (b) Remove from the Land and lawfully dispose of all materials and debris resulting from compliance with (a) above.

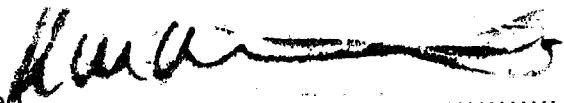
Time for Compliance: within 1 month from the date this notice takes effect.

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/ENVP1331)

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 **£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

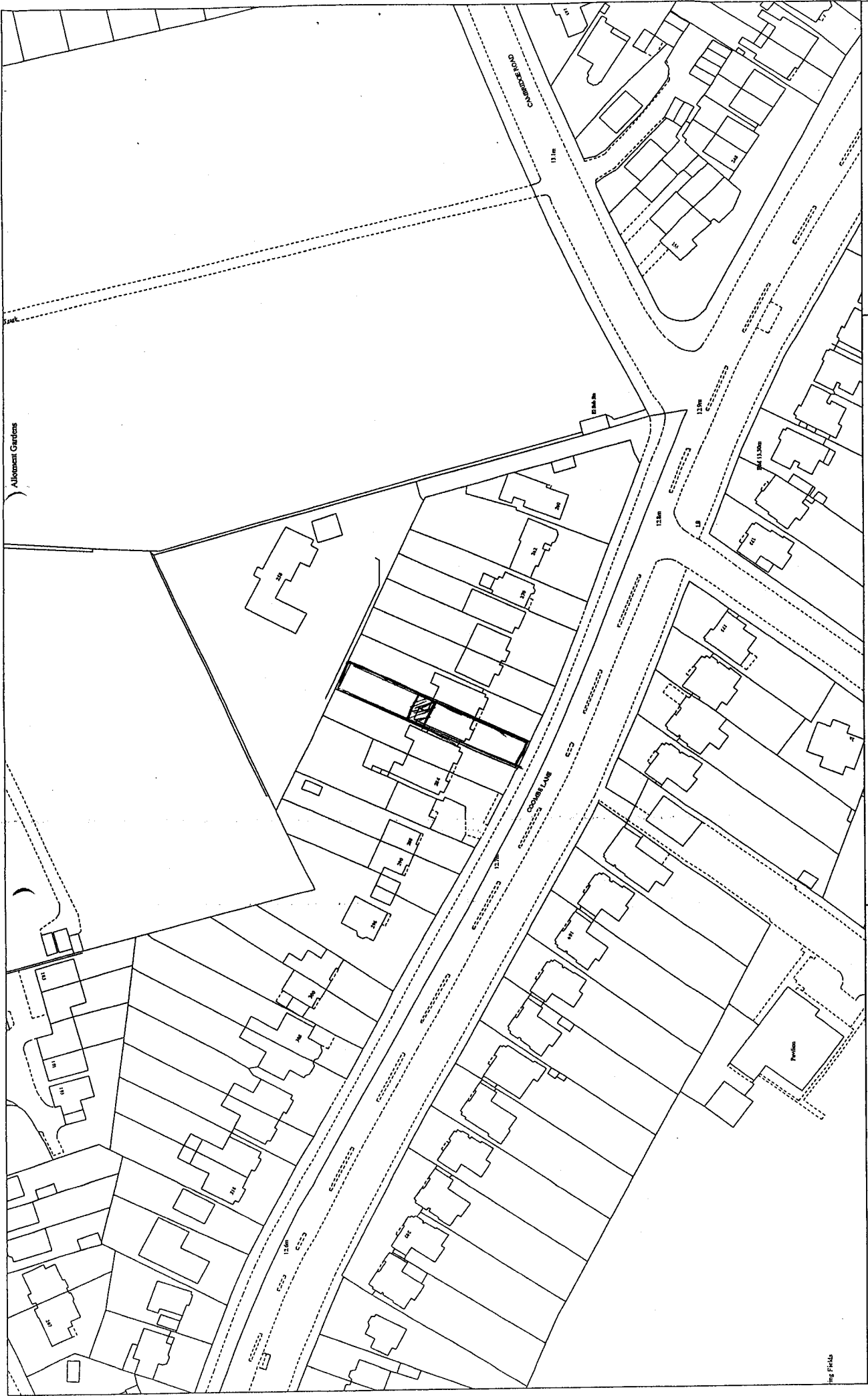
The fee can be sent with your appeal form.

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. Hoori Najafpir
280 Coombe Lane
London
SW20 0RW
2. Babak Khosravi
280 Coombe Lane
London
SW20 0RW
3. Mehdi Aghaei Hakkak
280 Coombe Lane
London
SW20 0RW
4. Maryam Ghasemi
280 Coombe Lane
London
SW20 0RW
5. Bank of Scotland Plc
Birmingham Midshire Division
Pendeford Business Park
Wobaston Road
Wolverhampton
WV9 5HZ



280 Coombe Lane
Raynes Park
SW20

LONDON BOROUGH OF MERTON
Environmental Services Department
 Civic Centre, London Road, Morden, Surrey, SM4 5DX
 Telephone: 020 8543 7222 Web: www.merton.gov.uk