

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 **29 Neath Gardens, Morden, Surrey SM4 6JN** 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 single storey rear extension 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 extension by reason of its depth, siting and design, comprises an excessively large and overbearing form of development that results in a detrimental impact upon the outlook and loss of daylight/sunlight received by the adjoining property at 31 Neath Gardens and by reason of the materials used, fails to respect the character and appearance of the existing property contrary to policies BE.15, BE.22 and BE.23 of the London Borough of Merton Unitary Development Plan (October 2003)

LONDON BOROUGH OF MERTON

Copies of the above policies are attached.

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

07 OCT 2010

- (a) Demolish the unauthorised extension.

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

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

6. WHEN THIS NOTICE TAKES EFFECT

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

Dated: 6 October 2010 .

Signed.....
[Signature]
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/ERPP244)

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.

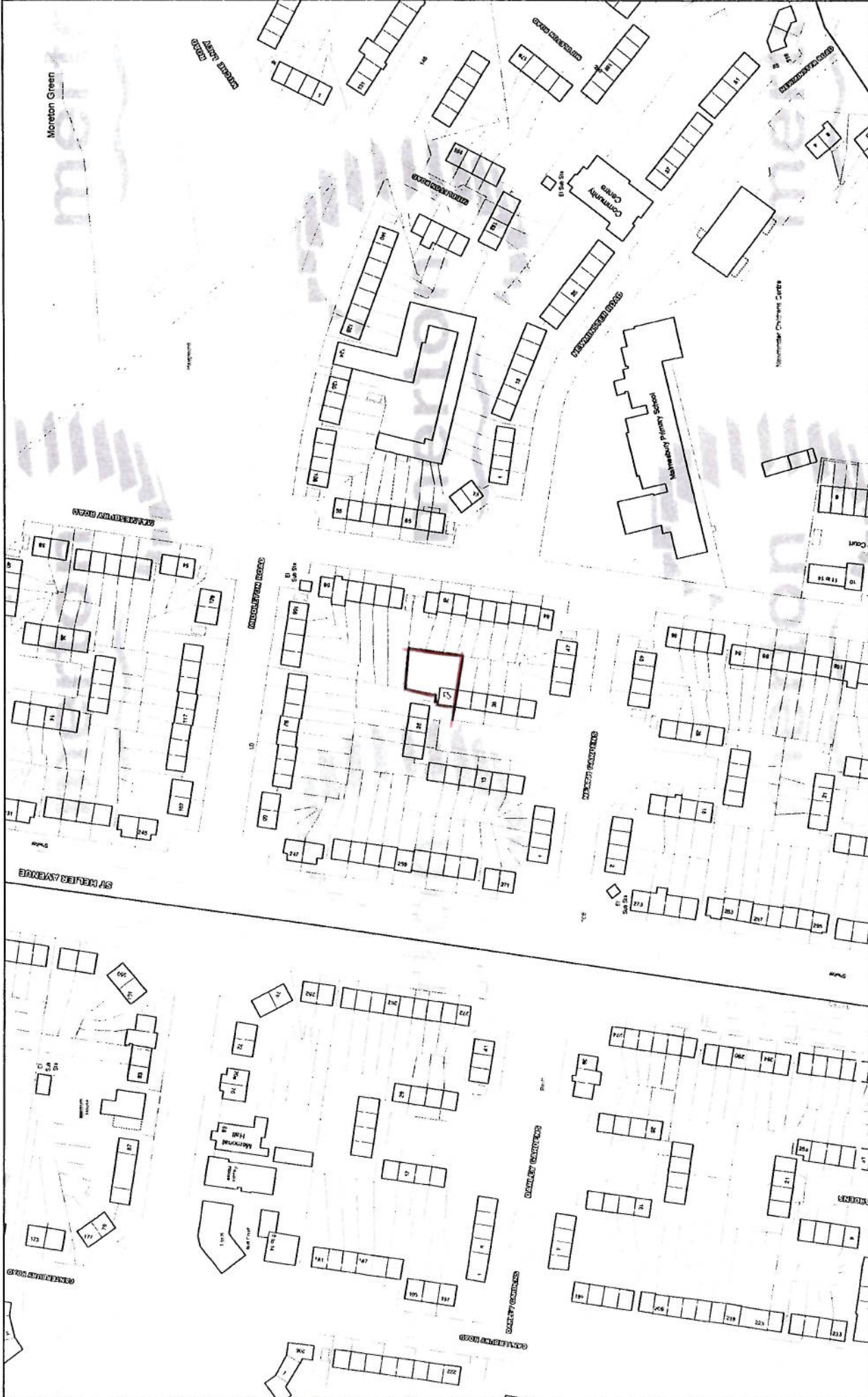
WHAT HAPPENS IF YOU DO NOT APPEAL

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.

LONDON BOROUGH OF MERTON

07 OCT 2010





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

Scale 1/1250

Date 23/8/2010

29 Neath Gardens

07 OCT 2010

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