

**LONDON BOROUGH OF MERTON
TOWN & COUNTRY PLANNING ACT 1990
ENFORCEMENT NOTICE (Operational Development)**

LAND AT 2 CROWLAND WALK, MORDEN, SM4 6QU

1. **THIS IS A FORMAL NOTICE** which is issued by the Council because it appears to them that there has been a breach of planning control, under section 171A(1)(a) of the above Act, at the land described below. They consider that it is expedient to issue this notice, having regard to the provisions of the development plan and to other material planning considerations.
2. **THE LAND AFFECTED**
The land and property known as 2 Crowland Walk, Morden, SM4 6QU shown edged red on the plan attached hereto ("the Land")
3. **THE BREACH OF PLANNING CONTROL ALLEGED**
Without planning permission a material change of use of part of the Land from a single family dwelling-house into a self-contained residential unit ("the Unit")
4. **REASONS FOR ISSUING THIS NOTICE**
 - i) It would appear to the Council that this development has taken place within the last 10 years.
 - ii) The design and materials used in the side extension fail to meet the requirements of policy CS.14 of the Merton Local Plan (2011) and policy BE.23 (Alterations and Extensions) of the Adopted Merton Unitary Development Plan (2003),
 - iii) The use of the extension as self-contained residential accommodation by reason of its design and layout fails to provide a satisfactory standard of accommodation due to inadequate room size, would result in a cramped and sub-standard form of accommodation due to its excessively small size, lack of natural lighting, lack of external refuse storage, and lack of private amenity space, contrary to the minimum gross internal area standards contained with table 3.3 of the London Plan - 2011, policy HS.1 of the London Borough of Merton UDP - 2003, policy CS 14 of the London Borough of Merton Core Strategy - 2011, and the Council's Supplementary Planning Guidance on Residential Extensions, Alterations and Conversions (November 2001).
 - iv) The use of the extension as accommodation, by reason of the size of the Gross Internal Area, the layout of the accommodation would result in an unsatisfactory standard of residential accommodation to the detriment of the amenities of future occupiers and would be contrary to policies HS.1, of the Adopted Unitary Development Plan (October 2003), Policy 3.5 of the London Plan and policies CS 9, CS14 & CS 18 of the LBM Core Strategy 2011.
 - v) The Council do not consider that there are any steps short of those required by this notice which can be taken to remedy the breach of planning control.
5. **WHAT YOU ARE REQUIRED TO DO**
 - (i) Completely and permanently cease the use of the Land as a Unit and revert the Land back to its original use as single family dwelling-house

Time for compliance: within 3 calendar month of the date on which this notice takes effect.

(ii) Remove from the Land and lawfully dispose of all materials machinery, apparatus, equipment and installations and debris facilitating the use of the Land as a Unit

Time for compliance: within 3 calendar month of the date on which this notice takes effect.

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on **12th December 2013**, unless an appeal is made against it beforehand.

Dated: 30th October 2013

Signed.....

Paul Evans, Head South London Legal Partnership, Gifford House, 67c St Helier Avenue, Morden, SM4 6HY

Address to which all communication should be sent:-

Paul Evans, Head of South London Legal Partnership, Gifford House , 67c St Helier Avenue, Morden, SM4 6HY (REF: CS/LEG/HB/448-259)

YOUR RIGHT OF APPEAL

You can appeal against this notice by submitting an appeal online (www.planningportal.gov.uk/pcs) or by requesting an appeal form from the Planning Inspectorate. Please note 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 Information Sheet sets out your rights and the procedure to be followed.

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 **£770 that must be sent by way of a cheque** 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.

PERSONS SERVED WITH A COPY OF THIS ENFORCEMENT NOTICE

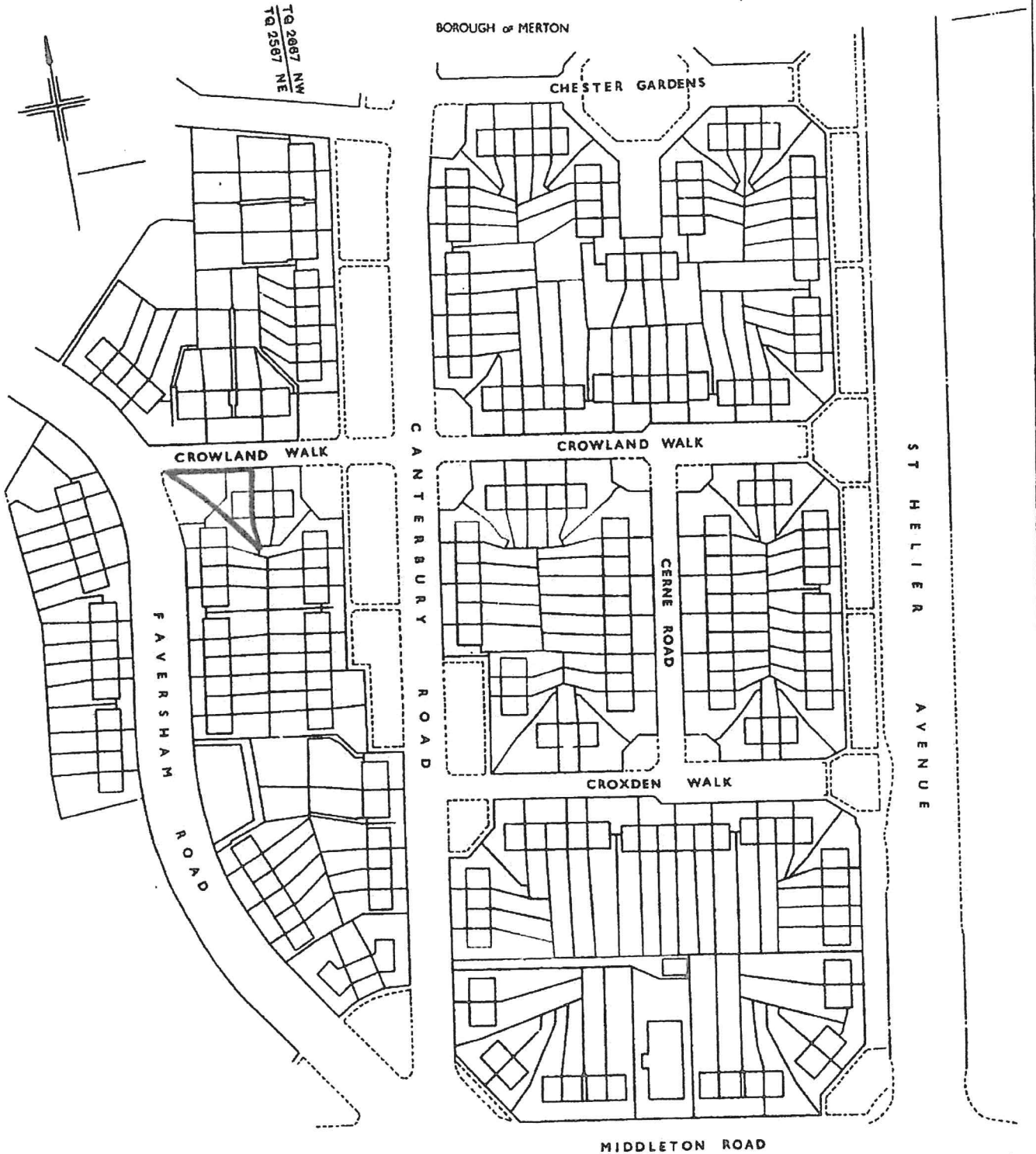
- i) The Owner/Occupier, 2 Crowland Walk, Morden, London, SM4 6QU.
- ii) Antonio Joaoda Silva Freitas, 2 Crowland Walk, Morden, London, SM4 6QU.
- iii) Leonor Rocha Cunha, 2 Crowland Walk, Morden, London, SM4 6QU.
- iv) Barclays Bank PLC, 1 Churchill Place, London, E14 5HP

H. M. LAND REGISTRY

NATIONAL GRID PLAN
GREATER LONDON

TQ 2667 SECTION L

Scale 1/1250



Old Reference SURREY XIII. 7. W.
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TQ 2667 SW
TQ 2587 SE



TITLE No. SGL 27 C 96 4