

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 2 Vectis Road, Tooting, London SW17 9RG in the London Borough of Merton shown edged red on the attached plan ('the Land').

3. **THE BREACH OF PLANNING CONTROL ALLEGED**

The erection of an unauthorised ground floor 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 structure fails to respect the siting, rhythm, scale, density, proportions, height and massing of surrounding buildings, contrary to policy BE.22 of Merton's Adopted Unitary Development Plan (October 2003).
- (c) The extension by reason of its bulk, massing and siting results in an unduly dominant and visually intrusive form of development, harmful to neighbour amenity by way of loss of natural light and outlook and would be contrary to policies BE.15, BE.22 and BE.23 of Merton's Adopted Unitary Development Plan (October 2003).

Copies of the above policies are attached.

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

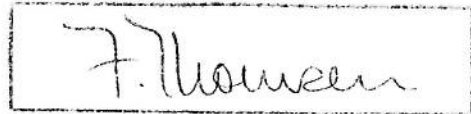
- (a) Demolish the extension in its entirety, or alternatively;
- (b) Reduce the depth of the extension to within 3 metres to comply with the limits set out in Schedule 2, Part 1, Class A of the Town & Country (General Permitted Development) Order (Amendment No. 2) England, or

- (c) Reduce the extension to comply with the approved dimensions under planning permission 06/P2606, approved on 25 January 2007 (copy attached).

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

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on **19 November 2009** unless an appeal is made against it beforehand.



Dated: 16 October 2009

Signed.....

(Principal Lawyer)

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: AW/ENVP1548)

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**

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

You should therefore include:

One cheque for **£150** payable to The Department for Communities and Local Government

One cheque for **£150** payable to the London Borough of Merton

The fee can be sent with your appeal form.

LONDON BOROUGH OF MERTON
TOWN AND COUNTRY PLANNING ACT 1990

Application Number: **06/P2606**

To: JA & JM Rix
2 Vectis Road
Tooting
London
SW17 9RG

From: Director of Environment & Regeneration
London Borough Of Merton,
Civic Centre,
London Road,
Morden
Surrey SM4 5DX

The London Borough of Merton as Local Planning Authority HEREBY GRANTS planning permission for the development specified in the First Schedule below subject to the reasons for approval and compliance with the conditions specified in the Second Schedule below.

FIRST SCHEDULE

Particulars of Application.

Application Number: 06/P2606

Drawing Numbers: Site location plan, 2-VR-05-01, 2-VR-05-02-A

Location: 2 Vectis Road
Tooting
London
SW17 9RG

Proposal: **ERECTION OF A SINGLE STOREY REAR EXTENSION**

SECOND SCHEDULE

- 1 The development to which this permission relates shall be begun not later than the expiration of 3 years, beginning with the date of this permission.

Reason for condition: To comply with Section 91 of the Town & Country Planning Act 1990. (As Amended)

- 2 The facing materials used in the development hereby permitted shall match the original facing materials of the existing buildings in type, colour, dimensions and in the case of brickwork, bond, coursing and pointing.

Reason for Condition: To ensure a satisfactory appearance of the development

- 3 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (or any other Order revoking or re-enacting this Order with or without modification) no windows or other openings shall be formed in the north-west or south-east elevations of the extension without the prior written approval of the Local Planning Authority.

Reason for Condition: To protect the privacy and amenities of the occupiers of adjoining properties.

4 REASON FOR APPROVAL.

The proposed extension would not have a detrimental impact upon the appearance and character of the existing building and the surrounding area, and would not have a harmful impact upon the amenity of neighbouring dwellings. The proposal accords with the Council's adopted Unitary Development Plan (October 2003) and London Plan policies.

The policies listed below were relevant to the determination of this proposal:

BE.15: New Buildings and Extensions; Daylight, Sunlight, Privacy, Visual Intrusion and Noise

BE.23: Alterations and Extensions to Buildings

25/01/2007

Signed.....*J Fulla*.....

For and on behalf of the Head of Planning and Public Protection.

Note: Any permission given herein relates only to the development under the Town and Country Planning Acts. Consent under Building Regulations may also be necessary. For further information please contact the Building Control Manager on 0208 545 3121. It is emphasised that no variation from the deposited plans or particulars will be permitted unless previously authorised in writing by the London Borough of Merton.

Please read attached notes.

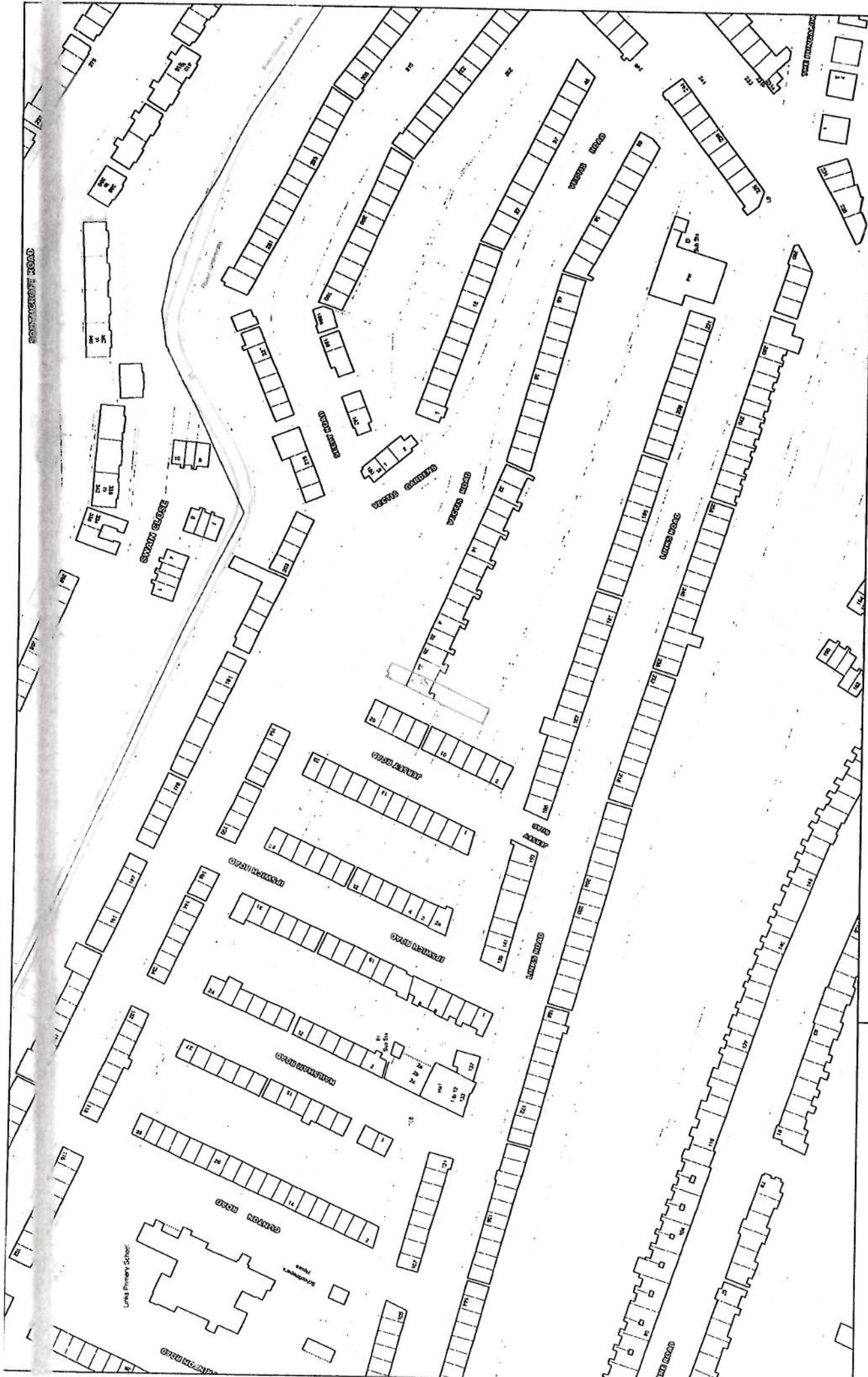
TP3

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. John Andre Rix, 2 Vectis Road
2. Jenifer Maria Rix, 2 Vectis Road
3. Nationwide Building Society, Nationwide House, Pipers Way, Swindon SN38 1NW



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

Scale 1/1250

Date 14/9/2009

2 Vectis Road, Tooting, SW17 9RG

Unauthorised ground floor rear extension

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