

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 315 Durnsford Road, Wimbledon Park, London SW19 8EF 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 on the Land of a single storey ground floor rear extension with associated concrete base and the erection of a detached structure in the rear garden.

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 and associated concrete base by reason of size, positioning and materials represent an unsympathetic and overly dominant addition to the original building. The extension is visually intrusive and further results in harm to the amenities of neighbouring properties by way of loss of natural light, contrary to policies BE.15, BE.22 and BE.23 of Merton's Adopted Unitary Development Plan (2003) and the associated Supplementary Planning Guidance Note; Residential Extensions, Alterations and Conversions (November 2001)
- (c) The outbuilding, by virtue of its height, massing and siting is visually intrusive and unduly dominant, resulting in a loss of outlook detrimental to the amenities of the occupiers of neighbouring dwellings in Durnsford Road and Wellington Road, and is contrary to policies BE.15, BE.22 and BE.23 of Merton's Adopted Unitary Development Plan (2003) and the associated Supplementary Planning Guidance Note; Residential Extensions, Alterations and Conversions (November 2001).

Copies of the above policies and Supplementary Planning Guidance Note are attached.

5. WHAT YOU ARE REQUIRED TO DO

- (a) Demolish the extension and associated concrete base and return the Land to it's original state prior to the development having commenced; and
- (b) Demolish the detached structure and remove all resulting debris from the Land to an authorised place of disposal.

Time for Compliance: within **SIX MONTHS** from the date this notice takes effect.

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on **27th May 2010** unless an appeal is made against it beforehand.



Dated: *23 April 2010*

Signed.....

Head of Civic & 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/AW/ERPP179)

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

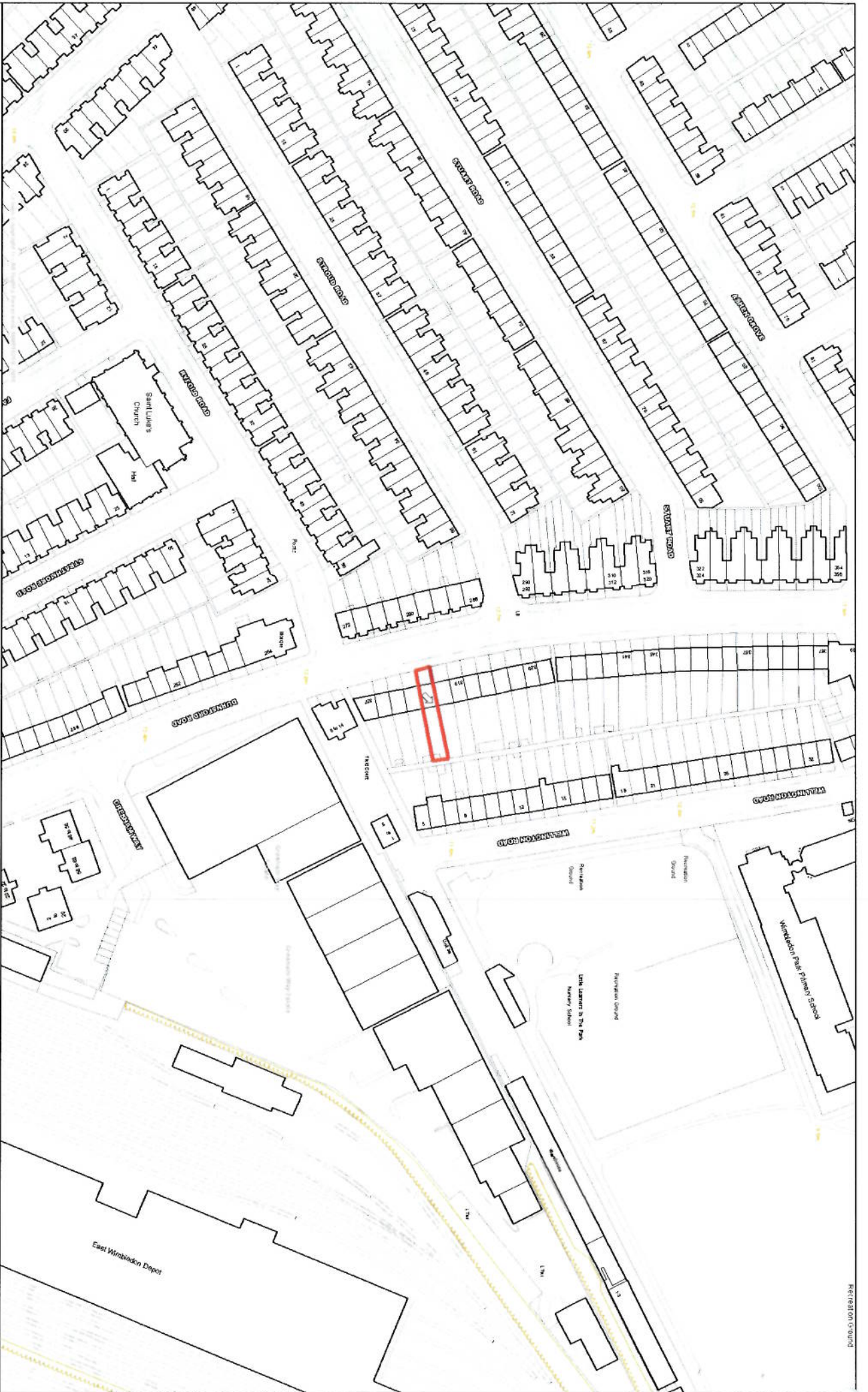
The fee can be sent with your appeal form.

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. Javed Ahmad, 315 Durnsford Road, Wimbledon Park, London, SW19 8EF
2. Farkhanda Ahmad, 20 Old Mill View, Dewsbury WF12 9QJ
3. The Owners, 315 Durnsford Road, Wimbledon Park, London, SW19 8EF
4. The Occupiers, 315 Durnsford Road, Wimbledon Park, London, SW19 8EF
5. Lloyds TSB Bank PLC, Barnett Way, Gloucester, GL4 3RL



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315 Durnsford Road, Wimbledon Park
 London, SW19

Scale 1/1250
 Date 6/4/2010

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

