

**IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY**  
**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED BY THE**  
**PLANNING AND COMPENSATION ACT 1991)**

**ENFORCEMENT NOTICE – 15/E0075**

**Operational Development**

**ISSUED BY: THE LONDON BOROUGH OF MERTON ('the Council')**

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 at 31 Manship Road, Mitcham, CR4 2AZ ("the Premises") showed edged red on the attached plan.

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

Without planning permission:

- (i) the erection of three wooden garden sheds ['the Three Unauthorised Sheds'] in the rear garden of the Premises; and
- (ii) the use of the Three Unauthorised Sheds for residential purposes

4. **REASONS FOR ISSUING THIS NOTICE**

- 1. The Three Unauthorised Sheds have not existed for more than four years.
- 2. The use of the Three Unauthorised Sheds as self-contained residential units of accommodation has not existed for more than four years.
- 3. The cumulative effect of the Three Unauthorised Sheds, by reason of their numbers, location, mass, size, and materials used in their construction are visually prominent, incongruous and unsympathetic, out of character and unduly intrusive, resulting in overdevelopment, loss of light and outlook to the detriment of the amenities of the occupiers of the neighbouring properties contrary to policies DM D2 – Design considerations in all developments, of the Council's adopted Sites, Policies Plan 2014, CS14 – Design of the Merton's Core Planning Strategy adopted July 2011 and 7.4 - Local Character & 7.6 – Architecture of the London Plan 2015 [as amended]
- 4. The Three Unauthorised Sheds fail to provide private amenity space for their occupants and by virtue of their limited size creates sub-standard floor areas resulting in unacceptable cramped living conditions to the detriment of the residential amenities of the present and future occupants contrary to policies DM D2 – Design considerations in all developments, of the Council's adopted Sites, Policies Plan 2014, CS14 – Design, CS 8 - Housing choice and CS 9 - Housing provision of the Merton's Core Planning Strategy adopted July 2011 and 3.5 - Quality and design of housing developments of the London Plan 2015 [as amended]

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

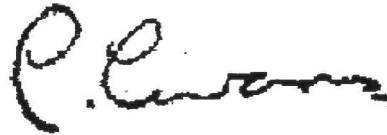
- (i) Cease the use of the Three Unauthorised Sheds for residential purposes
- (ii) Demolish the Three Unauthorised Sheds and remove from the Premises all resultant debris and paraphernalia as a result of compliance with this step.

**6. TIME FOR COMPLIANCE**

Three calendar months after this notice takes effect.

**7. WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on **25<sup>th</sup> May 2016**, unless an appeal is made against it beforehand.



Dated: **15<sup>th</sup> April 2016**

Signed.....  
Assistant Director of Corporate Governance  
South London Legal Partnership  
on behalf of the Council of the London Borough  
of Merton

Address to which all communication should be sent:-  
Paul Evans, Head of Legal Services, South London Legal Partnership, Gifford House, 67c St Helier Avenue, Morden, Surrey, SM4 5DX (Ref: CS/LEG/HB/511-516)

**ANNEX**

**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 **£344** that must be paid by way of a cheque made out to the London Borough of Merton. The fee can be sent with your appeal form.

**WHAT HAPPENS IF YOU DO NOT APPEAL**

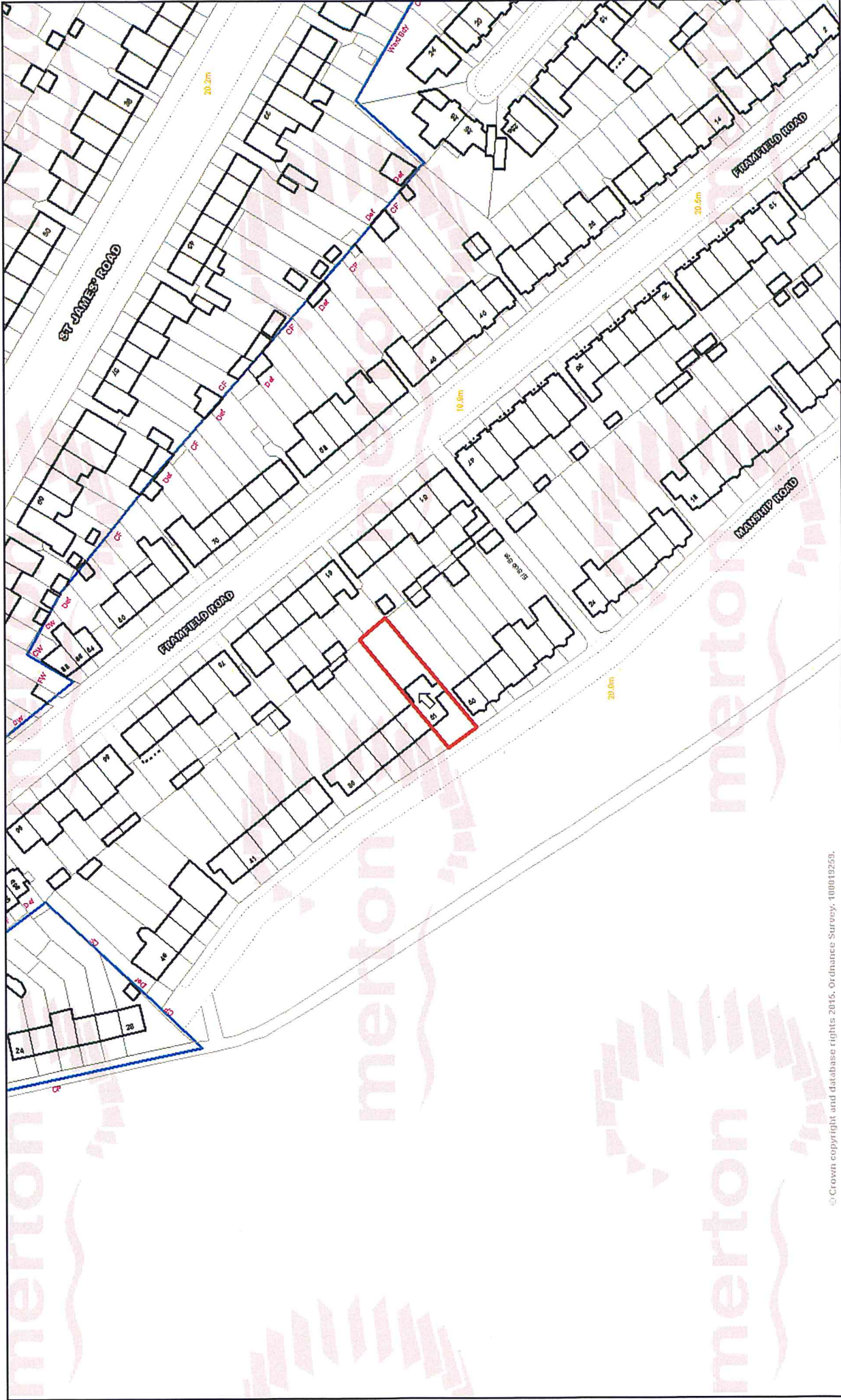
If you do not appeal against this enforcement notice, it will take effect on the date indicated above and you must then ensure that the notice is complied with. Failure to comply with an enforcement notice that has taken effect, is a criminal offence and can result in legal proceedings and/or remedial action by the Council.

## **PERSONS SERVED WITH A COPY OF THIS ENFORCEMENT NOTICE**

1. THE OCCUPIER of 31 Manship Road, Mitcham, CR4 2AZ
2. MANUEL PLAZA LORENZO of 76 Gorrige Park Avenue, Mitcham CR4 2DJ and of Naranjo De Bulnes Number 6, 28976, Batres, Madrid, Spain
3. FBN BANK (UK) LIMITED of 28 Finsbury Circus, London EC2M 7DT

**If you believe that there is someone else who should be served with a copy of the enforcement notice/s please let that person and the Council know as soon as possible.**





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

Scale 1/1250

Date 21/12/2015

31 Manship Road. CR4 2AZ

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**DEVELOPMENT CONTROL**

