

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED BY THE PLANNING AND
COMPENSATION ACT 1991)**

ENFORCEMENT NOTICE

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. The Annex at the end of the notice contains important additional information.
2. **THE LAND AFFECTED**
Land and property at **32 Consfield Avenue, New Malden, KT3 6HB** showed 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**
 - 4.1 The above breach of planning control has occurred within the last four years.
 - 4.2 The Council do not consider that planning permission should now be given because there has already been an unsuccessful appeal against the retrospective refusal of planning permission and because planning conditions would not overcome clear policy-led objections to the development
 - 4.3 The single storey rear extension by reason of its size and siting is considered an unneighbourly form of development which is visually intrusive, overly dominant and harmful to the amenity of neighbours due to overshadowing and the loss of sunlight and daylight contrary to the principles of policy 7.6 of the London Plan 2011 and policy DMD2 of the Merton Sites and Policies Plan 2014.

4.4 The single storey rear extension by reason of its design, bulk and siting fails to respect the appearance, materials, scale, bulk, proportions and character of the original building and its surroundings, contrary to the principles of policy CS14 of the Merton Core Strategy 2011 and policy DMD3 of the Merton Sites and Policies Plan 2014

5. WHAT YOU ARE REQUIRED TO DO

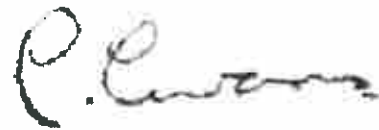
- 5.1 Remove the single storey extension
- 5.2 Remove from the Land all materials and debris arising from compliance with step 5.1 above

6. TIME FOR COMPLIANCE

Four calendar months after this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on **30th July 2015** unless an appeal is made against it beforehand.



Dated: **24th June 2015**

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/511-532)

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.

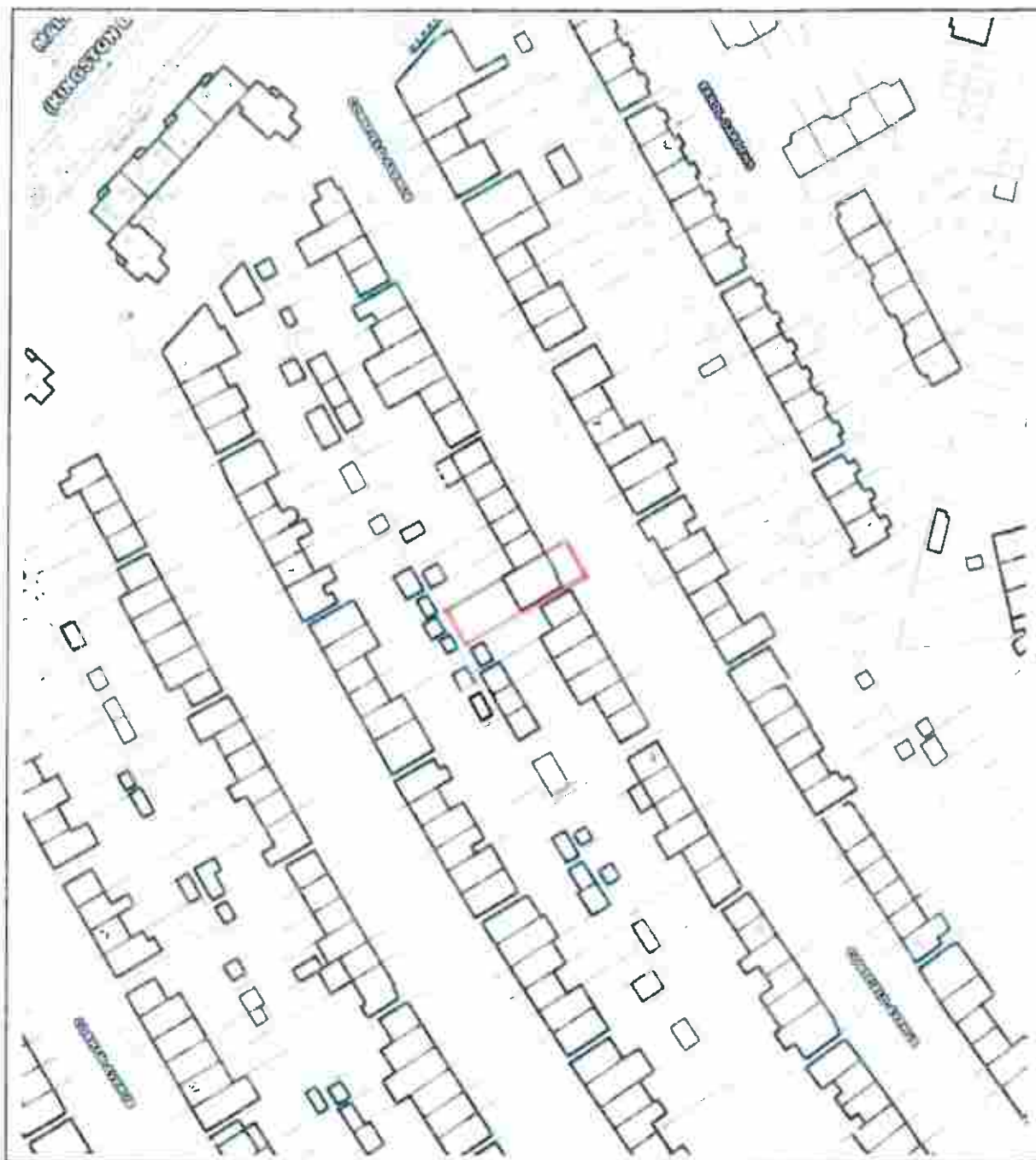
WHAT HAPPENS IF YOU DO NOT APPEAL

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 32 Consfield Avenue, New Malden, Surrey, KT3 6HB
2. THARSH PARANN of 32 Consfield Avenue, New Malden, Surrey, KT3 6HB
3. THE MORTGAGE WORKS (UK) PLC, Nationwide House, Pipers Way,
Swindon, SN38 1NW

NORTH GATE SE GIS Print Template



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