

**IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY**

**TOWN AND COUNTRY PLANNING ACT 1990**

**ENFORCEMENT NOTICE – MATERIAL CHANGE OF USE**

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 336 Western Road, Colliers Wood, SW19 2QA** 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 a material change of use of the first floor and part of the ground floor at the Land into four self-contained flats.

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 change of use from ancillary residential accommodation into four self-contained flats by reason of its layout and design fails to provide a satisfactory standard of accommodation. The flats provide a cramped and unsatisfactory standard of accommodation that suffer from noise, have poorly located outdoor amenity space the quality of which is diminished by surrounding commercial uses, have a poor outlook creating a poor environment harmful to the amenities of occupiers and is contrary to the objectives of PPG24 – Planning and Noise, policies HS.1, HP.1, HS.2, BE.22, PK.3 and PE.2 of the Merton Unitary Development Plan (October 2003) and the Council's Supplementary Planning Guidance on Residential Extensions, Alterations and Conversions (November 2001).

Copies of the above policies are attached.

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


- (a) Completely and permanently cease the use of the Land as self contained flats.
- (b) Completely and permanently remove all partitions, doors, means of separation, facilities, fixtures and fittings facilitating the use of the Land as self contained flats.

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

**6. WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on **4 April 2011** unless an appeal is made against it beforehand.

Dated: 3 March 2011

Signed.....

Head of Civic and 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/ENVP1633)

**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 **£2,680**

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

You should therefore include:

One cheque for **£1,340** payable to The Department for Communities and Local Government

One cheque for **£1,340** payable to the London Borough of Merton

The fee can be sent with your appeal form.

**WHAT HAPPENS IF YOU DO NOT APPEAL**

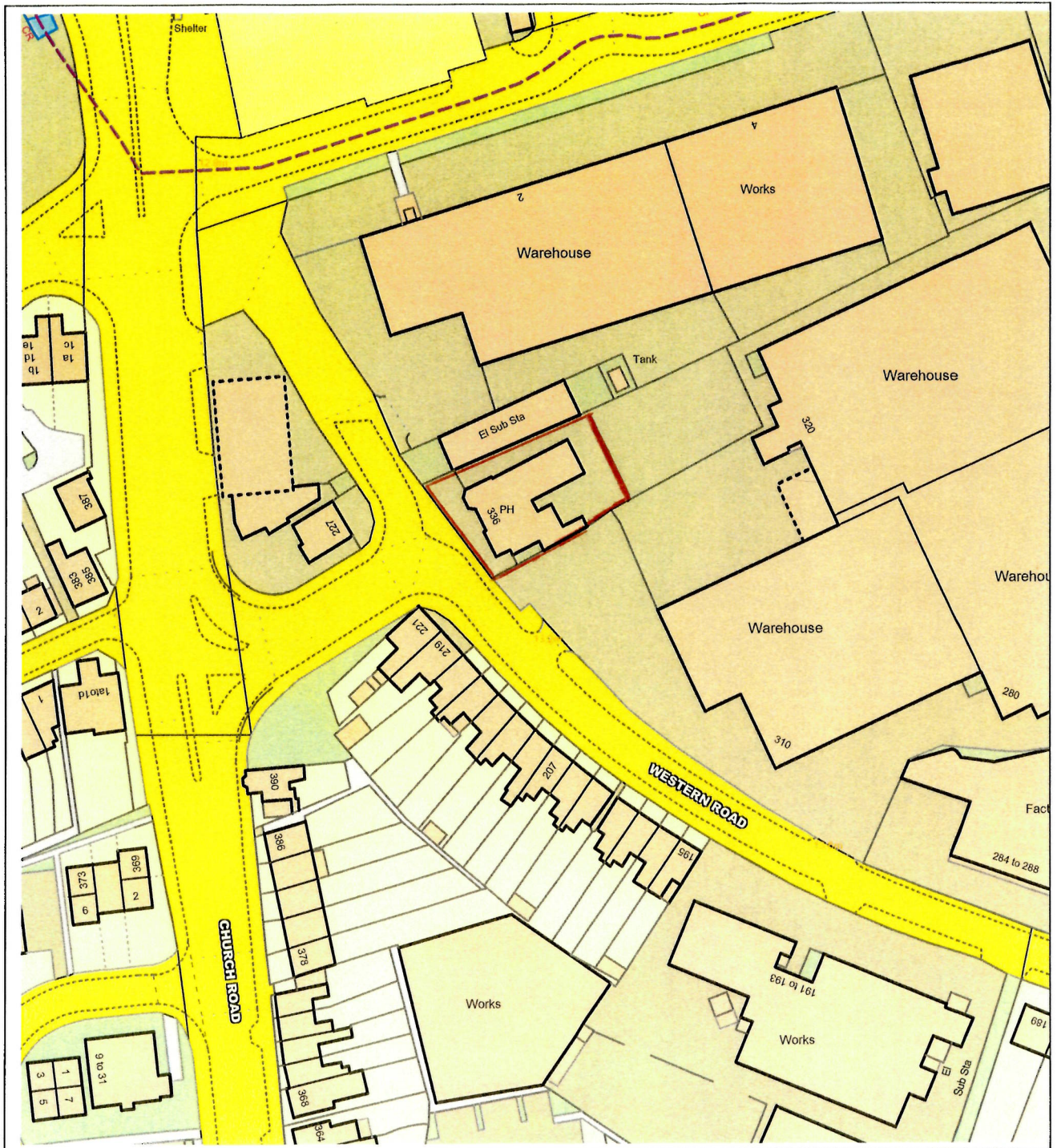
If you do not appeal against this enforcement notice, it will take effect on the date indicated above and you must then ensure that the notice is complied with. Failure to comply with an enforcement notice that has taken effect, is a criminal offence and can result in legal proceedings and/or remedial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

PERSONS SERVED WITH A COPY OF THIS ENFORCEMENT NOTICE

1. The Secretary, Collierbridge Properties Limited, 74 Woodfield Avenue, Streatham, London, SW16 1LD
2. The Secretary, Collierbridge Properties Limited, 127 Trinity Road, London, SW17 7HJ
3. Nadeem Siddiqi, Collierbridge Properties Limited, 127 Trinity Road, London, SW17 7HJ
4. The Occupier(s), Flat 1, 336 Western Road, Colliers Wood, SW19 2QA
5. Konrad Kotlicki, Flat 2, 336 Western Road, Colliers Wood, SW19 2QA
6. Agnieszka Kotlicki, Flat 2, 336 Western Road, Colliers Wood, SW19 2QA
7. The Occupier(s), Flat 3, 336 Western Road, Colliers Wood, SW19 2QA
8. Sandra Reid, Flat 4, 336 Western Road, Colliers Wood, SW19 2QA
9. The Secretary, National Westminster Bank PLC, 67-68 Grosvenor Street, London, W1K 3JH



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