

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

ENFORCEMENT NOTICE – 15/E0332

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 known as 39 Borough Road, Mitcham, CR4 3DX shown edged red on the plan attached ("the Premises")
3. **THE BREACH OF PLANNING CONTROL ALLEGED**

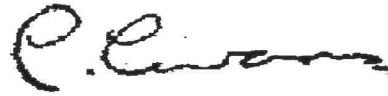
Without planning permission the erection of a boundary timber fence the 'Unauthorised Fence' at the front of the Premises
4. **REASONS FOR ISSUING THIS NOTICE**
 - 1) The Unauthorised Fence has not existed for more than four years.
 - 2) The Unauthorised Fence due to its size, design, location, materials used in its construction and is particularly intrusive to the detriment of the visual amenity of the street scene and the wider area and detracts from the sense of openness along the roads frontage. It is a discordant element in both short and longer street scene views in the immediate area appearing as an incongruous and alien feature which does not enhance or conserve the appearance of the area in general contrary to policy CS.14 of the Merton LDF (2011) and policy DMD2 of the Sites and Policy Plan (2014).and 7.4 - Local Character, 7.6 – Architecture of the London Plan 2015.
5. **WHAT YOU ARE REQUIRED TO DO**
 - a) Demolish the Unauthorised Fence
 - b) Remove all resultant debris from the premises as a result of the above compliance with the requirement of step 5a) above
6. **TIME FOR COMPLIANCE**

Three calendar months after this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

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

Dated: **15th 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/511-517)

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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 **£770** 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.

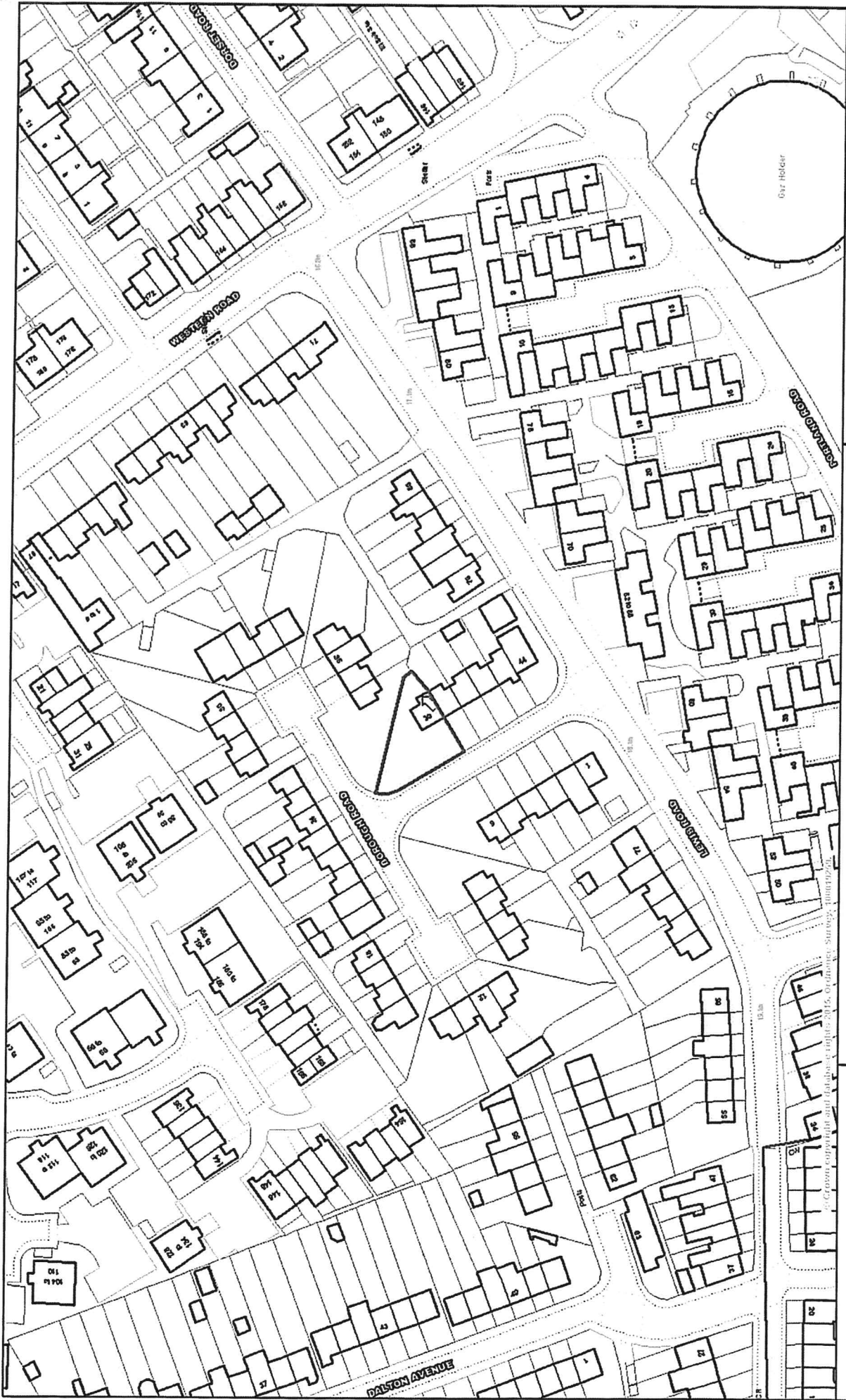
WHAT HAPPENS IF YOU DO NOT APPEAL

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, 39 Borough Road, Mitcham, CR4 3DX
2. ARTUR TADEUSZ SLUSARZ, 39 Borough Road, Mitcham CR4 3DX
3. JANA DANISOVA, 39 Borough Road, Mitcham CR4 3DX
4. CHARTER COURT FINANCIAL SERVICES LIMITED of 2 Charter Court, Broadlands, Wolverhampton WV10 6TD, trading as Precise Mortgages

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

39 borough Road. CR4 3DX

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DEVELOPMENT CONTROL

