

**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 39 West Barnes Lane Raynes Park London SW20 0BL** 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 metal shed type structure, capable of accommodating two vehicles for painting and drying, and the installation along the North boundary of the Land of a large and unsightly metal panel fence and the placing of floodlights atop existing fence posts.

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 material development is contrary to the requirements of policies CS.14 (Design) of the Merton Local Plan (2011) and PE.2 (Pollution and Amenity) and BE.23 (Alterations and Extensions) of the Adopted Merton Unitary Development Plan (2003), by reason of light pollution from the floodlights and because the large metal shed does not use external materials/design that are/is sympathetic to the location and its surroundings or complement the character and appearance of the wider setting.

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

- (a) Remove all unauthorised structures from the Land, including the large metal shed and the fencing with floodlights to the North of the Land.
- (b) Lawfully dispose of all waste materials resulting from compliance with (a) above.

Time for Compliance: within **one month** from the date this notice takes effect.

**6. WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on 14 January 2014  
unless an appeal is made against it beforehand.

Dated: 3 December 2013

Signed.....

Assistant Director of Corporate Governance  
South London Legal Partnership

Address to which all communication should be sent:-

Head of Legal Services, South London Legal Partnership, Gifford House, 67c St Helier Avenue, Morden, Surrey SM4 5DX (Ref: CS/LEG/RO/448-341)

**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 **£770.00** 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.

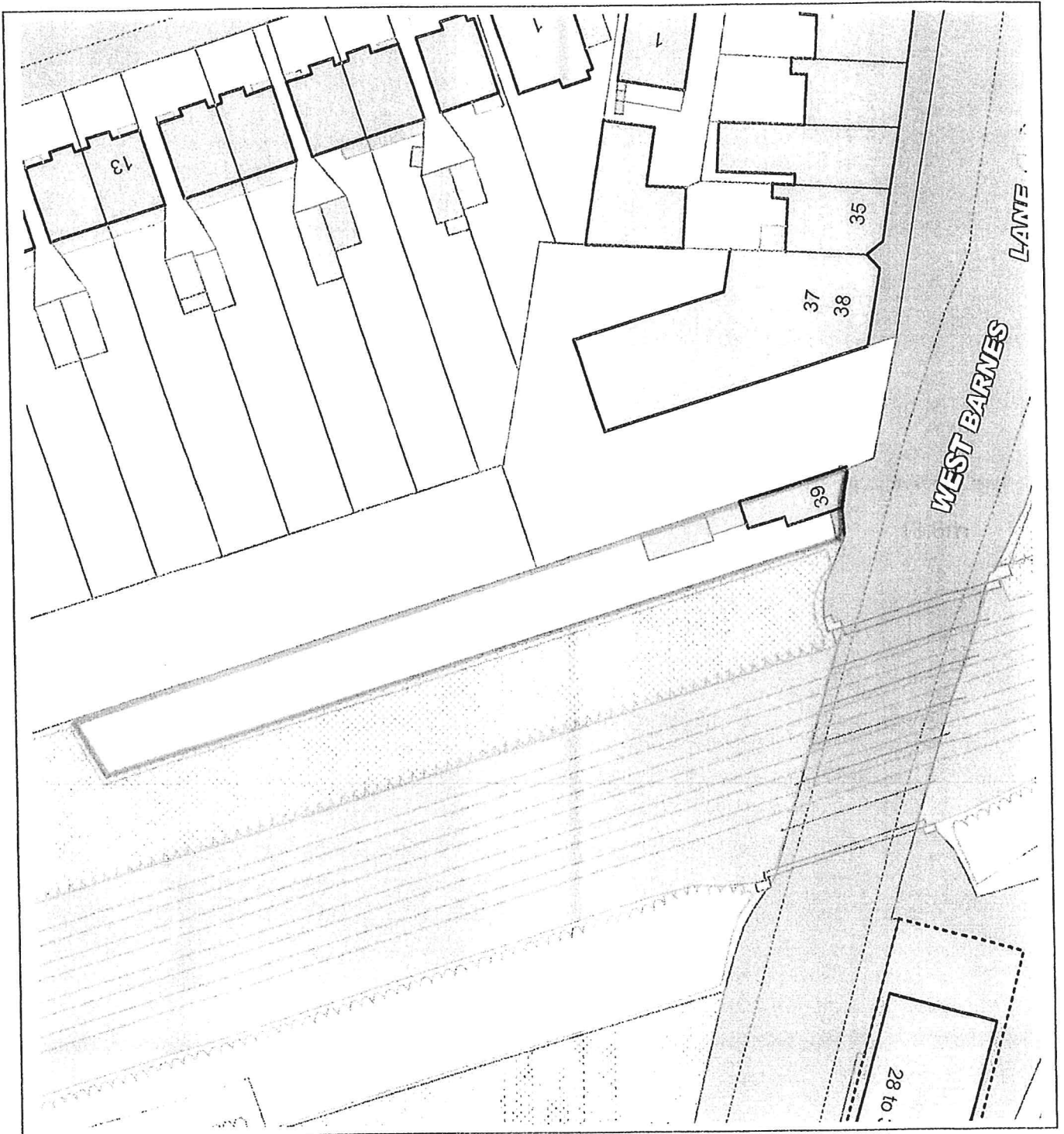
**WHAT HAPPENS IF YOU DO NOT APPEAL**

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 Secretary  
Network Rail Infrastructure Limited  
Kings Place  
90 York Way  
London  
N1 9AG
2. The Secretary  
Curzon Concepts (UK) Limited  
c/o Chhaya Hare Wilson  
Transport House  
Uxbridge Road  
Hillingdon  
Middlesex  
UB10 0LY
3. Curzon Concepts (UK) Limited  
39 West Barnes Lane  
Raynes Park  
London  
SW20 0BL
4. Artan Balaj  
West Motor Company  
4 Castelnau  
Barnes  
London  
SW13 9RU
5. Ardi Balaj  
West Motor Company  
4 Castelnau  
Barnes  
London  
SW13 9RU
6. Artan Balaj  
39 West Barnes Lane  
London  
SW20 0BL
7. Ardi Balaj  
39 West Barnes Lane  
London  
SW20 0BL
8. The Occupier  
39 West Barnes Lane  
London  
SW20 0BL

39 West Barnes Lane, Raynes Park SW20 0BL.  
Orientated North. Scale 1:575



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