

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 and buildings at 43 Sunnymead Avenue, Mitcham, Surrey, CR4 1EW in the London Borough of Merton shown edged red on the attached plan.

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

Without planning permission the carrying out of development on the Land, involving the erection of a two-storey side/rear extension and a single-storey rear extension to the dwellinghouse situate thereon (“the Dwellinghouse”).

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 extensions to the Dwellinghouse by virtue of their form, scale, bulk and proportions are considered an incongruous form of development, which fail to complement the design and appearance of the original dwellinghouse and the general character of the Rowan Road streetscene

contrary to the following policies of the Merton Unitary Development Plan (October 2003):

- Policy BE 16: Urban Design; and
- Policy BE 23: Alterations and Extensions to Buildings

Copies of the above policies are attached.

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

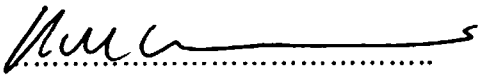
1. Demolish the said two-storey side/rear extension and single-storey rear extension and restore the dwellinghouse to its condition prior to the unauthorised development.
2. Remove all resultant demolition materials from the land

Time for Compliance: **6 months** from the date this notice takes effect.

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on **16 January 2008** unless an appeal is made against it beforehand.

Dated: *23 November 2007*

Signed..........

Head of Civic and Legal Services

Address to which all communication should be sent:-

Head of Civic and Legal Services, London Borough of Merton, Civic Centre, London Road,
Morden, Surrey SM4 5DX
(REF: LE/SL/2006P280)

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 date this notice takes effect. The enclosed booklet "Making Your Enforcement Appeal" sets out your rights and the procedure to be followed. Read it carefully. You should also read sections 171-177 of the Act which are also enclosed. If you decide to appeal, you should complete the enclosed appeal forms and send a copy of each of the form and enforcement notice to the Planning Inspectorate. The other appeal form and enforcement notice are for your own records.

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 **£270**.

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

You should therefore include:

One cheque for **£135** payable to The DCLG

One cheque for **£135** 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. **Mohammedhassan Kassamali Bhogadia
43 Sunnymead Avenue
Mitcham
Surrey CR4 1EW**
2. **Shazia Mohammedhassan Bhogadia
43 Sunnymead Avenue
Mitcham
Surrey CR4 1EW**
3. **The Secretary
Oakwood Homeloans Limited
Company Registration No 5092310
180 Brompton Road
London SW3 1HQ**
4. **The Secretary
Mortgage Express
Company Registration No 02405490
PO Box 88 Crofts Road
Crossflatts
Bingley
West Yorkshire
BD16 2UA**

LONDON BOROUGH OF MERTON
Environmental Services Department

43 Sunnymead Avenue
Mitcham, CR4 1EW

Scale = 1:1250

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