

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 7 Bathgate Road London SW19 5PW 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, erection of timber gates and associated timber posts on the boundary of the Land adjacent to Bathgate Road.

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 gates, by reason of their design and materials used fail to preserve or enhance the character or appearance of the Bathgate Road Conservation Area, contrary to policies CS14 'Design' of Merton Core Strategy and BE.1 Conservation Areas, New Development, Change of Use, Alterations and Extensions of the London Borough of Merton Unitary Development Plan (October 2003).

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


- (a) Permanently remove the timber gates and associated timber posts from the Land.
- (b) Make good any damage resulting from the removal of the timber gates and associated timber posts.

Time for Compliance: within 1 month from the date this notice takes effect.

15/07/2010

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 11 June 2012
unless an appeal is made against it beforehand.

Dated: 30 April 2012 Signed: 
Head of Legal Services
London Borough of Merton

Address to which all communication should be sent:-
Head of Legal Services, Merton & Richmond Legal Services, Gifford House, 67c St Helier
Avenue, Morden, Surrey SM4 6HY (Ref: CS/LEG/RO/448-061)

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 **£300.00**

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

You should therefore include:

One cheque for **£150.00** payable to The Department for Communities and Local Government

One cheque for **£150.00** 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. Thomas James Cairns, 7 Bathgate Road, London SW19 5PW
2. Sarah Siobhan Cairns, 7 Bathgate Road, London SW19 5PW
3. Barclays Bank Plc, 1 Churchill Place, London E14 5HP

Land at 7 Bathgate Road, SW19 5PW



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