

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 Morden Gardens Mitcham CR4 4DH in the London Borough of Merton shown edged red on the attached plan ('the Land').

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

The unauthorised erection on the Land of a corrugated plastic and timber lean-to rear extension.

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 lean-to extension by reasons of its design, size, materials and position results in an unsympathetic form of development, failing to respect, reinforce or enhance the local character of the area, contrary to policies CS14 "Design" of the Merton Core Strategy (2011), BE16 Urban Design and BE23 Alterations and Extensions to Buildings of Merton's Unitary Development Plan (2003).
- (c) The structure by reason of its size and materials is visually prominent, incongruous, out of character and unduly intrusive, resulting in loss of outlook to the detriment of the amenities of the occupiers of the adjoining dwellings, contrary to policies BE15 (New Buildings and Extensions; Daylight, Sunlight, Privacy, Visual Intrusion and Noise) and BE18 (Gardens), BE23 (Alterations and Extensions to Buildings) of Merton's Unitary Development Plan (2003) and SPG (2004) Residential Extensions.

London Borough of Merton

10 JUL 2013

5. WHAT YOU ARE REQUIRED TO DO

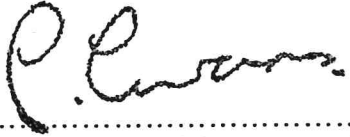
- (a) Permanently demolish the unauthorised corrugated plastic and timber lean-to rear extension.
- (b) Remove from the Land all waste, debris and materials resulting from compliance with the above.

Time for Compliance: within 3 months from the date this notice takes effect.

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 20 August 2013
unless an appeal is made against it beforehand.

Dated: 9 July 2013

Signed.....
Assistant Director of Corporate Governance
Merton & Richmond Legal Services

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 5DX (Ref: CS/LEG/RO/448-297)

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 **£344.00** 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

10 JUL 2013

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. Mahalingam Yathavan, 7 Morden Gardens, Mitcham CR4 4DH
2. The Occupier, 7 Morden Gardens, Mitcham CR4 4DH
3. Southern Pacific Mortgage Limited, St Johns Place, Easton Street, High Wycombe, Bucks HP11 1NL

LONDON BOROUGH OF MERTON

10 JUL 2013

Planning Development Control

7 Morden Gardens, Mitcham, CR4 4DH



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