

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990

ENFORCEMENT NOTICE – MATERIAL CHANGE OF USE

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 1-7 Amenity Way Morden Surrey SM4, 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, a material change of use of the Land from the provision of car and light van hire to a mixed use of provision of car and light van hire and the sale of motor vehicles.

4. **REASONS FOR ISSUING THIS NOTICE**

- (a) It appears to the Council that the above breach of planning control has occurred within the last ten years.
- (b) The use of the Land for the sale of motor vehicles is considered an unacceptable use within an identified Industrial Area and Special Industrial Area resulting in a loss of land especially suited for general industrial use and yard based industries.
- (c) The use of the Land for the sale of motor vehicles results in an unacceptable increase in vehicles drawn to the site and kerb side parking which is harmful to the free flow of traffic and vehicular safety in the area.
- (d) The use of the Land for the sale of motor vehicles is contrary to the following policies of the London Borough of Merton Unitary Development Plan (October 2003):

E.3: Land Uses in Industrial Areas

E.8: Bad Neighbour Development and "Green" Economic Development

PK.3: Car Parking and Development

Copies of the above policies are attached.

5. WHAT YOU ARE REQUIRED TO DO

- (a) Cease the use of the Land for the sale of motor vehicles.
- (b) Remove from the Land all vehicles displayed for sale and all signage, equipment, fixtures and fittings associated with the sale of motor vehicles.

Time for Compliance: within **28 days** from the date this notice takes effect.

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 22 February 2006
unless an appeal is made against it beforehand.

Dated: 11 January 2006

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, Merton Civic Centre,
London Road, Morden, Surrey SM4 5DX (Ref: CS/LEG/RO/2005P240)

YOUR RIGHT OF APPEAL

You can appeal against this notice by using the Enforcement Notice Appeal forms enclosed with this notice or by submitting an appeal online (www.planningportal.gov.uk/pcs). Please note however that 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 send two copies of the enclosed appeal forms and one copy of the enforcement notice, to the Planning Inspectorate. The other appeal form and the other copy of the enforcement notice are for you to keep 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 **£270.00**.

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

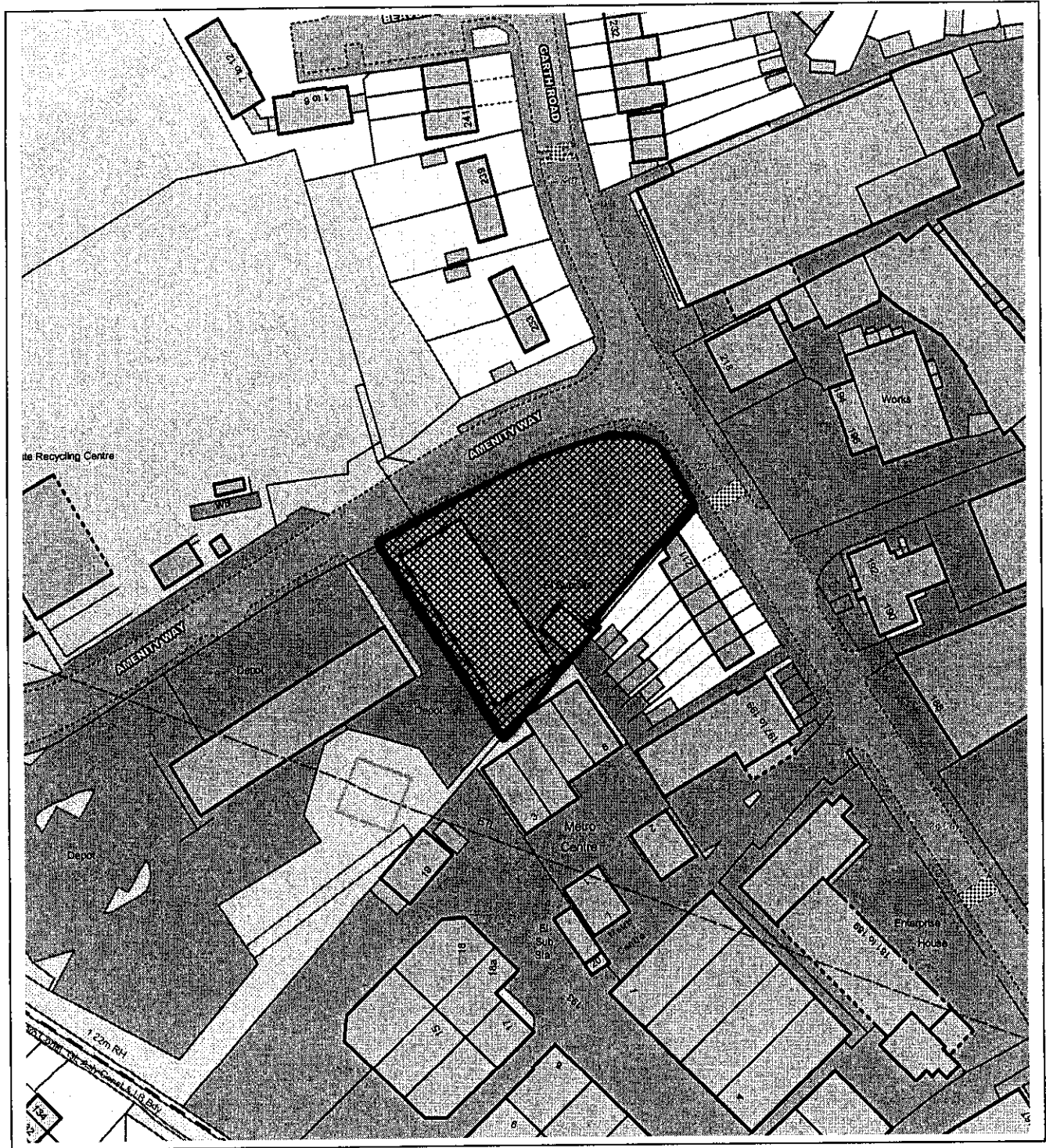
You should therefore include:

One cheque for **£135.00** payable to The Office of the Deputy Prime Minister

One cheque for **£135.00** payable to the London Borough of Merton

The fee can be sent with your appeal form.

MVM SE GIS Print Template



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1-7 Avenity way (units 1-3)