

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 Burn Bullock Public House, 315 London Road, Mitcham CR4 4BE in the London Borough of Merton shown edged red on the attached plan ('the Land').

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

(a) Without planning permission, a material change of use of the car park on the Land for the sale of motor vehicles.

4. **REASONS FOR ISSUING THIS NOTICE**

(a) It appears to the Council that the unauthorised change of use to a hand car wash has occurred within the last ten years.

(b) The use of the Land for the sale of motor vehicles has a negative impact on the Conservation Area and adversely affects the setting of the Grade II Listed Building and the viability of the lawful use to the detriment of the long term preservation and maintenance of the Listed Building contrary to policies BE.1: Conservation areas, new development, change of use, alterations and extensions, BE.5: Listed Buildings; Maintenance & Restoration, BE.8: Setting of listed buildings of the adopted Merton Unitary Development Plan (October 2003) and policy CS14 of the Core Strategy and Sites and Services Policy DM D2, Design Considerations.

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

(a) Cease use of the car park on the Land for the sale of motor vehicles and remove from the Land all fixtures and fittings associated with the unauthorised use.

Time for Compliance: within **2 calendar months**
from the date this notice takes effect.

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 20th August 2014 unless an appeal is made against it beforehand.

Dated: 9th July 2014



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 6HY (Ref: CS/LEG/RO/511-433)

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 by way of a cheque 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. The Company Secretary
Pheonix GRP Investments Limited
23a Kenilworth Gardens
Hayes
Middlesex
UB4 0AY**

- 2. The Company Secretary
Pheonix GRP Investments Limited
57 High Street
Leatherhead
Surrey
KT22 8AG**

- 3. Kenneth Keith Hibbert
Burn Bullock Public House
315 London Road
Mitcham
Surrey
CR4 4BE**

- 4. The Owner/Occupier
Burn Bullock Public House
315 London Road
Mitcham
Surrey
CR4 4BE**

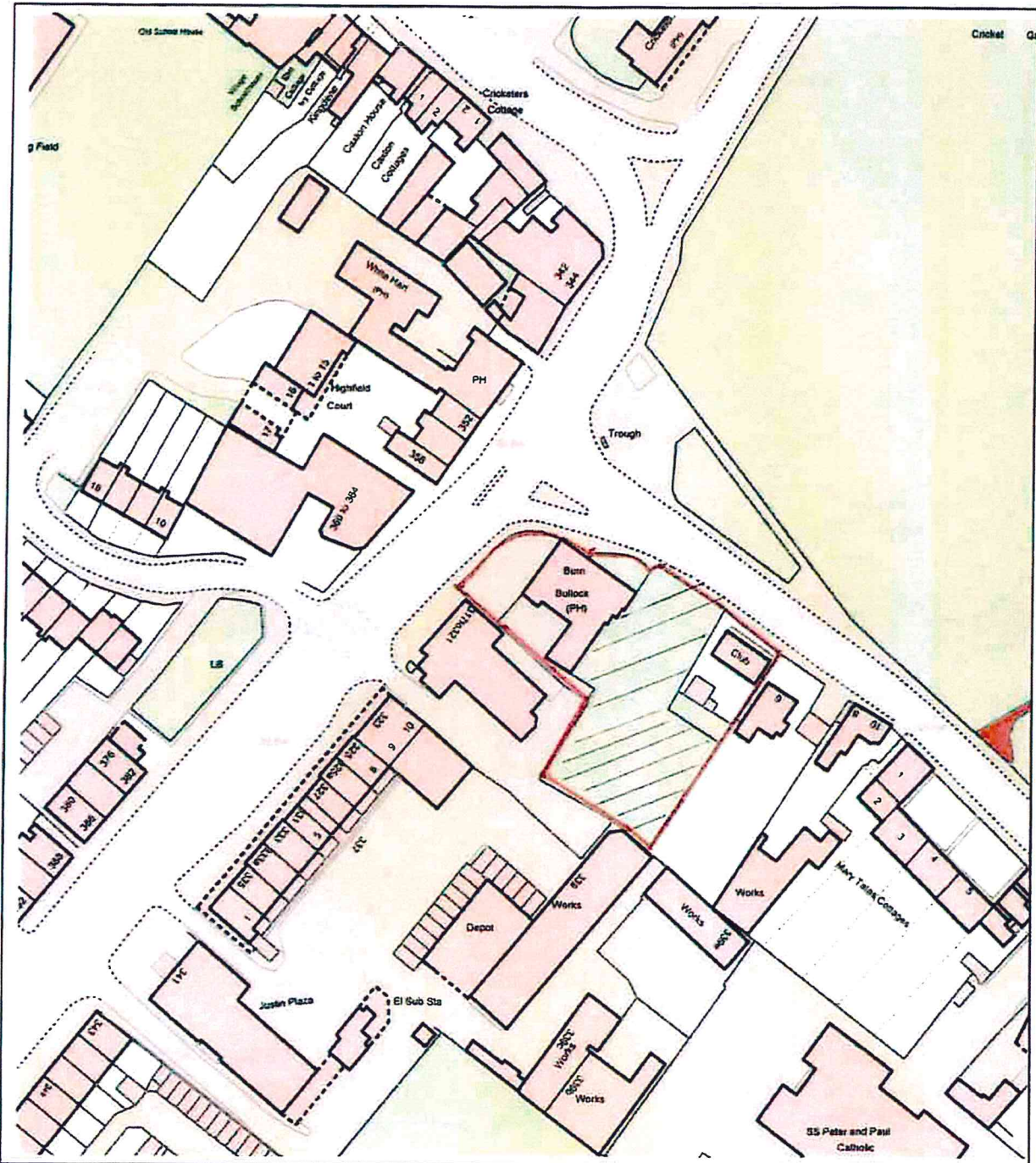
- 5. Mr Kamran Baig
315 London Road
Mitcham
Surrey
CR4 4BE**

- 6. Mr Ali Ahmed
Director, Sadaf Motors Limited
315 London Road
Mitcham
Surrey
CR4 4BE**

- 7. HSBC Bank Plc
Sheffield Securities Processing Centre
PO Box 3924
Sheffield S1 9BD**

- 8. Mitcham Cricket Club
4 Cricket Green
Mitcham
Surrey
CR4 4LA**

NORTHGATE SE GIS Print Template



This material has been reproduced from Ordnance Survey digital map data with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright.