

**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 88 Carlton Park Avenue, Raynes Park, London SW20** 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 the erection of a side extension to the dwelling house on the Land and the erection on the Land of a fence in excess of 1 metre in height.

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 side extension and fence are unsightly and are considered to be harmful to the visual amenities of the surrounding properties and to the character and appearance of the street scene.
- (b) The unauthorised development is contrary to policies BE15 (New Buildings and Extensions: Daylight, Sunlight, Visual Intrusion and Noise) and BE23 (Alterations and Extensions to Buildings) of the London Borough of Merton Unitary Development Plan (October 2003). Copies of these policies are attached.

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

- (a) Demolish and remove the side extension from the Land.
- (b) Remove the unauthorised fence from the Land **or** reduce the height of the unauthorised fence to no more than 1 metre.
- (c) Remove from the Land, all materials and debris resulting from compliance with (a) and (b) above.

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

## 6. WHEN THIS NOTICE TAKES EFFECT

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

2005

Dated: 2 December 2004 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: CR/LEGAL/RO/2004P379)

### 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 and the London Borough of Merton. 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 **£220.00**.

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

You should therefore include:

One cheque for **£110.00** payable to The Office of the Deputy Prime Minister

One cheque for **£110.00** payable to the London Borough of Merton

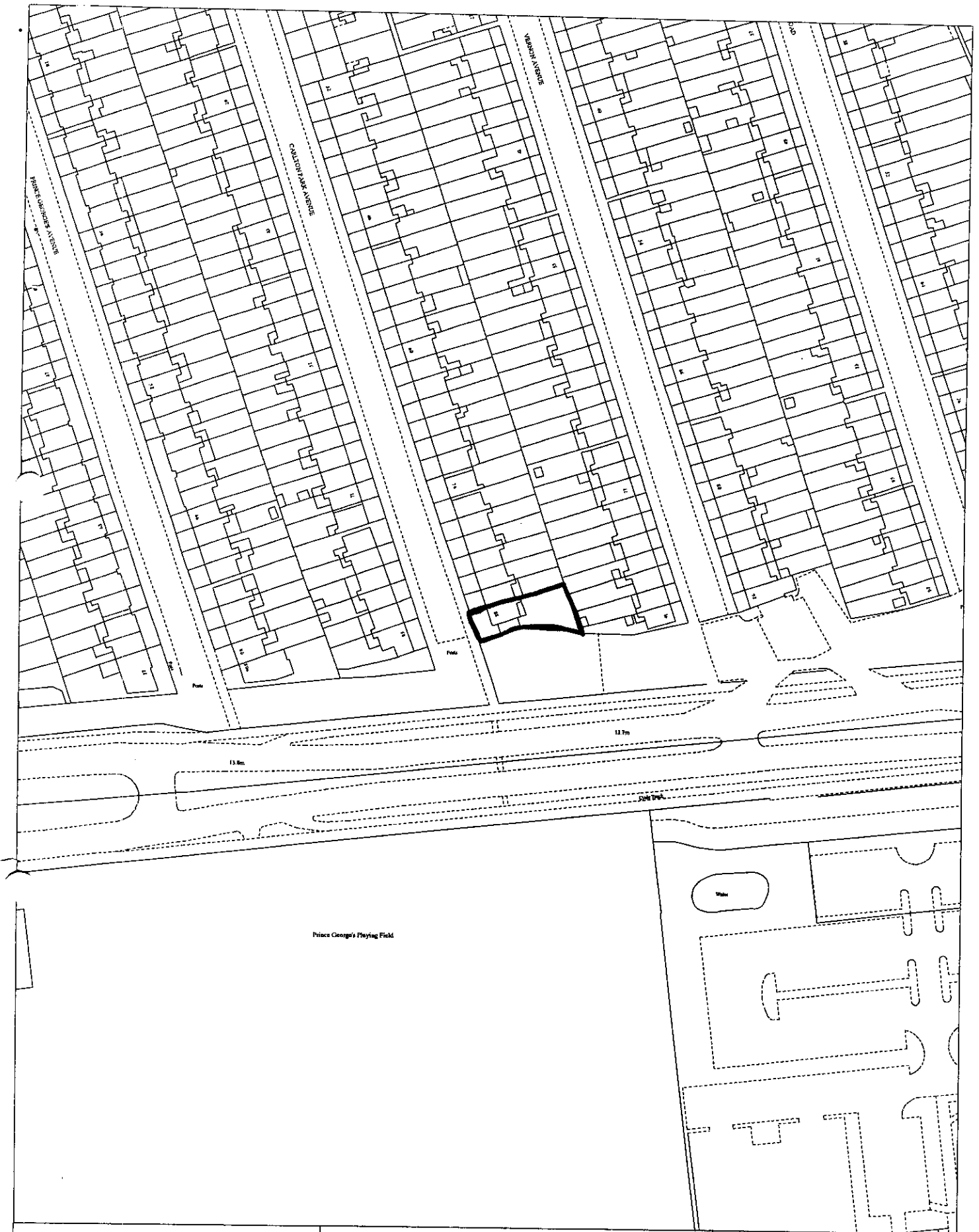
The fee can be sent with your appeal form.

### 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. Mr Ciro Paul Celentano at 88 Carlton Park Avenue, Raynes Park, London SW20
2. The Occupier at 88 Carlton Park Avenue, Raynes Park, London SW20
3. Abbey National plc at Deeds Centre, 101 Midsummer Boulevard, Milton Keynes MK9 1AA



LONDON BOROUGH OF MERTON  
 Environmental Services Department

88 Carlton Park Avenue

Scale = 1: 1250

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