

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990
(as amended by the PLANNING AND COMPENSATION ACT 1991)
(hereinafter referred to as "the Act")

ENFORCEMENT NOTICE

(hereinafter referred to as "the Notice")

ISSUED BY: **THE COUNCIL OF THE LONDON BOROUGH OF MERTON**
(hereinafter referred to as "the Council")

1. THIS IS A FORMAL NOTICE which is issued by the Council because it appears to it that there has been a breach of planning control under Section 171A(1) (a) of the Act at the land (hereinafter referred to as "the Land") described in Paragraph 2 below. The Council considers that it is expedient to issue this Notice having regard to the provisions of the Development Plan and to other material planning considerations.

2. THE LAND TO WHICH THE NOTICE RELATES

The Land known as 20 Cavendish Avenue, New Malden, Surrey, KT3 6QQ, and shown edged black on the attached plan (hereinafter referred to as "the Property").

3. THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL

Without planning permission, the erection of a canopy and single storey rear extension on the Land that exceeds the volume requirement for permitted development under Class A, Part 1, Schedule 2, of the Town and Country Planning (General Permitted Development) Order 1995.

4. REASONS FOR ISSUING THIS NOTICE

It appears to the Council that the above breach of planning control has occurred in the last 4 years.

A retrospective planning application was made, 02/P2751, was submitted for the retention of the canopy and single storey extension that exceeded the permitted development rights under Class A, Part 1, Schedule 2, of the Town and Country Planning (General Permitted Development) Order 1995. The retrospective planning application was refused.

The canopy and single storey rear extension on the Land is, by virtue of its siting and appearance, development that is detrimental to the appearance of the Property, the visual amenities of the surrounding area and amenity of the neighbouring occupants, particularly by reason of overlooking and loss of privacy, contrary to policies EB18 and H22 of the Adopted Unitary Development Plan (April 1996) and policies BE22, BE23 and BE29 of the Secondary Deposit Draft Unitary Plan (October 2000)

5. WHAT YOU ARE REQUIRED TO DO

- (1) Remove the canopy and single storey rear extension.
- (2) Remove all materials and debris resulting from the removal referred to in (1) from the Land.

Time for compliance: 6 months after the Notice takes effect

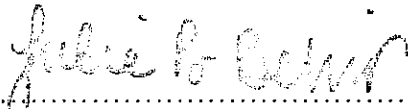
6. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on the 26th May 2003 unless an appeal is made against it beforehand.

Dated the

7 April 2003

Signed.....



Julie Belvir, Head of Legal Services

London Borough of Merton
Legal Services Ref: SB/2002p1210
Merton Civic Centre
London Road
Morden
Surrey
SM4 5DX

YOUR RIGHT OF APPEAL

- a) You can appeal against this Notice but any appeal must be received or posted in time to be received by the Secretary of State, that is, the Planning Inspectorate, before the date specified in paragraph 6 above.

The enclosed booklet, "Making your Enforcement Appeal" sets out your rights. You may use the enclosed appeal forms, one is for you to send to the Planning Inspectorate if you decide to appeal. The other is for you to keep as a duplicate for your own records and the last one is to send to the Council. You should also send the Planning Inspectorate the spare copy of this Notice that is enclosed.

WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this Notice it will take effect on the date specified in paragraph 6 above and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within this period specified in this Notice. Failure to comply with this Notice when it has taken effect can result in prosecution and/or remedial action by the Council.

PLANNING ENFORCEMENT WORKSHEET



Sacred Heart
Catholic Primary School

Sacred Heart
Catholic
Primary School

Syrannic House

Chapel House

BELMONT AVENUE

CAVENDISH AVENUE

CLAREMONT AVENUE

VENDUE

20 Cavendish Avenue



