

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 71 Dorset Road, Merton Park, London SW19 3HE in the London Borough of Merton shown edged red on the attached plan.

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

Without planning permission the formation of a rear dormer roof window and the construction of a roof extension comprising the change of the roof from a hip to gable end.

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 development referred to in paragraph 3 above constitutes an over dominant and incongruous form of development, detrimental to the appearance of the property and harmful to the character of the surrounding area and residents amenities, particularly by reason of visual intrusion and loss of symmetry to this and the adjoining house.
- (c) The development referred to in paragraph 3 above is contrary to policies BE15, BE16, BE22, BE23 and BE24 of the Adopted Unitary Development Plan (2003) . Copies of the above policies are attached.

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

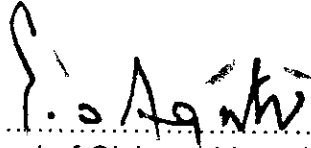
- (a) Return the roof to its original shape by removing the rear dormer window and changing the roof shape back to its original form from a gable to a hip end.
- (b) Remove all materials resulting from compliance with (a) above from the land.

Time for Compliance: 6 (six) months from the date this notice takes effect.

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 20 February 2004 unless an appeal is made against it beforehand.

Dated: 9 JANUARY 2004

Signed  Head of Civic and Legal Services (A)

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/2003P665)

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

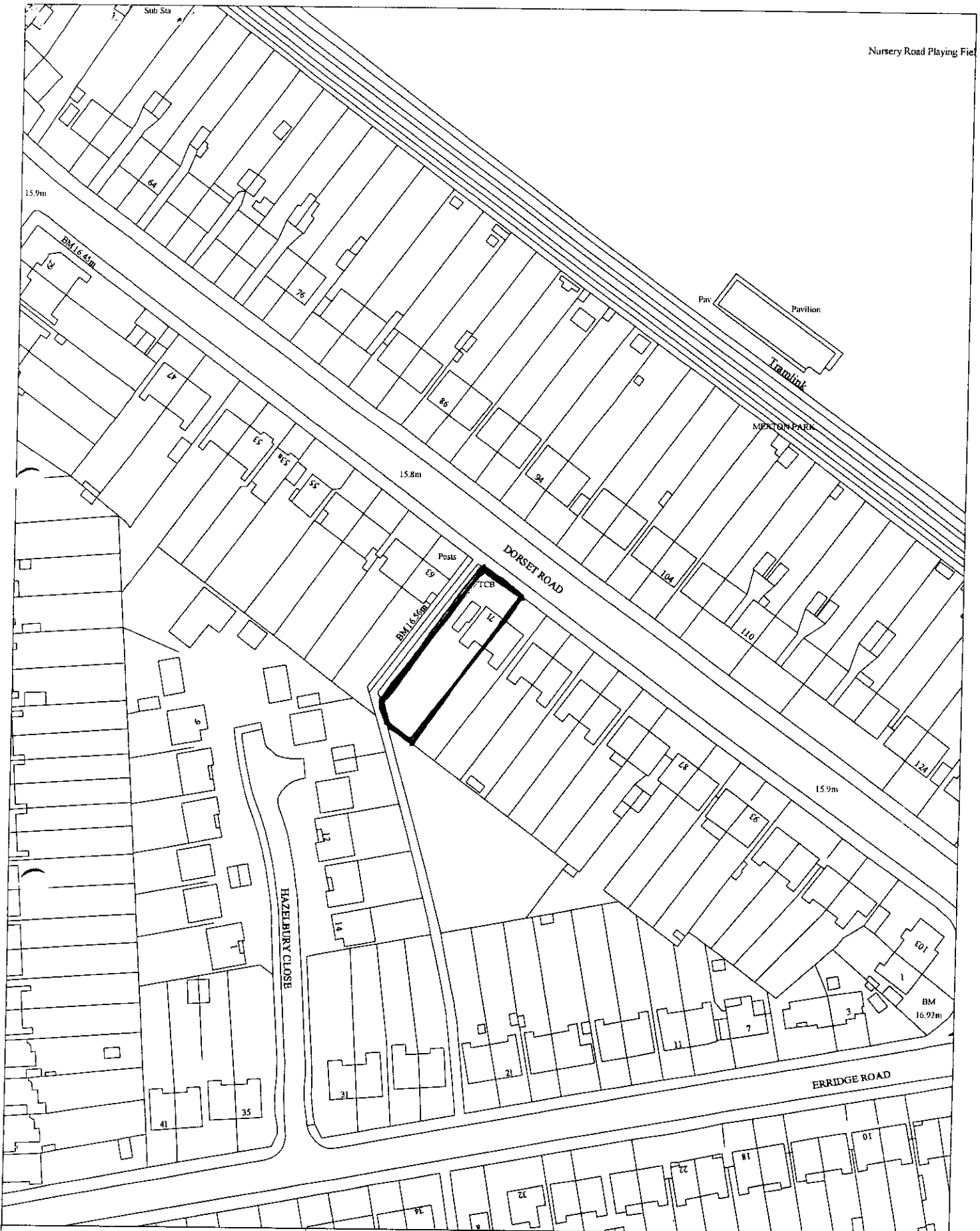
The fee can be sent with your appeal form.

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. Farman Tayeby
2. The Occupier
3. Governor and Company of the Bank of Scotland



LONDON BOROUGH OF MERTON
Environmental Services Department

71 Dorset Road
Merton Park

Scale = 1: 1250

Date Printed: 19/11/03

