

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 and premises known as 127 Edgehill Road London CR4 2HB shown edged black on the attached plan.

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

Without planning permission, a Material Change of Use of the Land from a use within Class C3 of the Town and Country Planning (Use Classes) Order 1987 [use as a dwelling house] to a mixed use for business [car repairs] and residential purposes.

4. REASONS FOR ISSUING THIS NOTICE

- (a) It appears to the Council that the above breach of planning control has occurred in the last 10 years;
- (b) The Land is situated in a predominantly residential area made up of terraced houses. The unauthorised use of the Land for car repairs and associated business uses is totally out of character with Edgehill Road and the surrounding residential area;
- (c) The unauthorised change of use is detrimental to the amenities of the residential area by reason of noise, dust and fume intrusion into the adjoining areas;
- (d) The car repair business causes traffic congestion in and along Edgehill Road and general nuisance to nearby residential properties;
- (e) The unauthorised business use is contrary to policies EP2 and W10 of the Council's Adopted Unitary Development Plan (1996) and policies PE3 and E11 of the Council's second Deposit Draft Unitary Development Plan (October 2000), [copies of these policies are attached to this notice].

5. WHAT YOU ARE REQUIRED TO DO

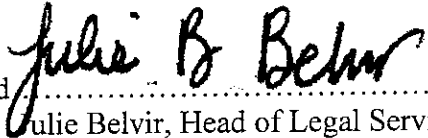
- (a) Cease to procure and/or permit the use of the Land and/or use the Land in connection with a motor vehicle repair business;
- (b) Cease to procure and/or permit the use of the Land and/or use the Land for the carrying out of motor vehicle repairs and associated works other than such vehicle repairs that are incidental to the enjoyment of a private residential dwelling;
- (c) Cease to use the Land for any purposes other than a residential purpose within Class C3 of the Town and Country Planning (Use Classes) Order 1987;
- (d) Remove all motor vehicles from the land other than those reasonably parked on the Land in connection with the use of the Land as a residential dwelling;
- (e) Remove from the Land all tools, plant, equipment, materials, fixtures, fittings, substances and motor vehicle parts used in connection with the unauthorised vehicle repair business;

Time for compliance: One month after this Notice takes effect

6. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on the **27th April 2003** unless an appeal is made against it beforehand.

Dated the 27th February 2003

Signed .....
Julie Belvir, Head of Legal Services

London Borough of Merton
Legal Services
Merton Civic Centre
London Road
Morden
Surrey
SM4 5DX
Ref: RJL/LEGAL/2002P1126



127 Edgehill Road

ONDON BOROUGH OF MERTON
Environmental Services Department

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Scale = 1 : 1250

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