

**IMPORTANT-THIS COMMUNICATION AFFECTS YOUR PROPERTY**  
**LONDON BOROUGH OF MERTON**  
**TOWN & COUNTRY PLANNING ACT 1990**  
**ENFORCEMENT NOTICE**  
**68 BOND ROAD, MITCHAM CR4 3HF**

1. **THIS IS A FORMAL NOTICE** which is issued by the Council because it appears to them that there has been a breach of planning control, under section 171A(1)(a) of the above Act, at the land described below. They consider 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 AFFECTED**  
Premises at 68 Bond Road, Mitcham, CR4 3HF showed edged red on the attached plan
3. **THE BREACH OF PLANNING CONTROL ALLEGED**  
Without planning permission:
  - (i) the erection of a single storey rear extension and conservatory addition to the Premises hatched black on the attached plan
  - (ii) the erection of a single storey outbuilding within close proximity to the rear extension shown hatched red on the attached plan
  - (iii) the use of the outbuilding as self-contained residential accommodation.
4. **REASONS FOR ISSUING THIS NOTICE**
  - (i) It appears to the Council that the above breach of planning control has occurred within the last four years
  - (ii) The single storey rear extension and outbuilding by reason of their size and materials, comprise an excessively large and overbearing form of development that have a detrimental impact on the visual amenities of neighbouring residents and, result in the provision of insufficient private rear garden space for this family dwelling contrary to Policies BE15, BE16, BE22 and BE23 of the Council's Unitary Development Plan (October 2003)
  - (iii) The single storey rear extension and the outbuilding by reason of their size, and materials are visually prominent, incongruous and unsympathetic, out of character and unduly intrusive, resulting in a loss of light and outlook to the detriment of the amenities of the occupiers of the adjoining dwellings, contrary to policies BE.15 (New Buildings and Extensions: Daylight, Sunlight, Privacy, Visual Intrusion and Noise), BE.23 (Alterations and Extensions to Buildings), of the Council's Unitary Development Plan (October 2003), SPG on Residential Extensions, alterations and Conversions adopted in November 2001 and policy CS 14 of Merton Core Strategy (2011)
  - (iv) The use of the outbuilding as self-contained residential accommodation by reason of its design and layout fails to provide a satisfactory standard of accommodation due to inadequate room size, poor cramped layout, poor outlook and inadequate private amenity space, and therefore the development would be contrary to policies HS.1 of the Unitary Development Plan (October 2003) and the Council's Supplementary Planning Guidance on Residential Extensions, Alterations and Conversions (November 2001).
  - (iii) The Council do not consider that there are any steps short of those required by this notice which can be taken to remedy the breach of planning control.

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

(i) Remove the unauthorised single storey rear extension with the conservatory addition

Time for compliance: within **2 calendar months** of the date on which this notice takes effect.

(ii) Cease the use of the outbuilding as a self-contained unit of accommodation

Time for compliance: within **5 calendar months** of the date on which this notice takes effect.

(iii) Remove the outbuilding in the rear garden which is in close proximity to the unauthorised rear extension

Time for compliance: within **6 calendar months** of the date on which this notice takes effect.

(iv) Remove from the Premises all waste materials resulting from compliance with steps (i) and (iii) above

6. **WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on **24 December 2012**, unless an appeal is made against it beforehand.

Dated: **12 November 2012**

Signed.....



Paul Evans, Head of Merton and Richmond Shared Legal Service

Address to which all communication should be sent:-

Paul Evans, Head of Merton and Richmond Shared Legal Service, Gifford House ,  
67c St Helier Avenue, Morden, SM4 6HY (REF: CS/LEG/HB/448-225)

**YOUR RIGHT OF APPEAL**

You can appeal against this notice by submitting an appeal online ([www.planningportal.gov.uk/pes](http://www.planningportal.gov.uk/pes)) or by requesting an appeal form from the Planning Inspectorate. Please note 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 Information Sheet sets out your rights and the procedure to be followed.

## **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 **£670**

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

You should therefore include:

One cheque for **£335** payable to The Department for Communities and Local Government

One cheque for **£335** 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. DHARAM PAUL of 68 Bond Road, Mitcham, Surrey, CR4 3HF
2. THE MORTGAGE WORKS (UK) PLC, Nationwide House, Pipers Way Swindon, Wiltshire, SN38 1NW



# 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.