

**IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY**

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED BY THE PLANNING AND  
COMPENSATION ACT 1991)**

**ENFORCEMENT NOTICE**

**OPERATIONAL DEVELOPMENT**

**ISSUED BY: THE LONDON BOROUGH OF MERTON ('the Council')**

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. The Annex at the end of the notice contains important additional information.
2. **THE LAND AFFECTED**  
Land and property at **36 Deal Road, Tooting, London, SW17 9JW** showed edged red on the attached plan ("the Land")
3. **THE BREACH OF PLANNING CONTROL ALLEGED**  
Without planning permission, the conversion of the property into three flats involving the use of the roof space as an unauthorised self-contained residential unit on the Land ("the Unauthorised Unit")
4. **REASONS FOR ISSUING THIS NOTICE**
  - 4.1 The above breach of planning control has occurred within the last four years.
  - 4.2 The conversion from two flats to three self-contained flats by reason of size and design would result in a cramped and unsatisfactory standard of accommodation for future occupiers arising from the creation of units the floor space of which would fall significantly below adopted minimum standards, poor internal layouts and areas of restricted internal headroom for the second floor flat. The proposal would be contrary to policy 3.5 of the London Plan (2015), policy CS.14 of the Merton LDF (2011), and The Mayor of London's Housing Supplementary Planning Guidance (2012).

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

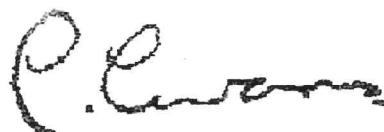
- 5.1 Cease the use of the property as three self-contained flats.
- 5.2 Remove any additional bathroom facilities [including toilet, sink, bath/shower, units etc], additional kitchen, units [including sink] and appliances and remove all internal partitions, divisions and utility meters that facilitates the use of the roof extension and roof space as an unauthorised self-contained residential unit.

**6. TIME FOR COMPLIANCE**

Six calendar months after this notice takes effect.

**7. WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on **10<sup>th</sup> August 2015** unless an appeal is made against it beforehand.



Dated: **6<sup>th</sup> July 2015**

Signed.....  
Assistant Director of Corporate Governance  
South London Legal Partnership  
on behalf of the Council of the London Borough  
of Merton

Address to which all communication should be sent:-  
Paul Evans, Head of Legal Services, South London Legal Partnership, Gifford House, 67c St Helier Avenue, Morden, Surrey, SM4 5DX (Ref: CS/LEG/HB/511-537)

**ANNEX**

**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 notice takes effect. The enclosed Explanatory Note and Information Sheet set out the procedure to be followed if you wish to appeal.

**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 **£770** that must be paid by way of a cheque made out to the London Borough of Merton  
The fee can be sent with your appeal form.

#### **WHAT HAPPENS IF YOU DO NOT APPEAL**

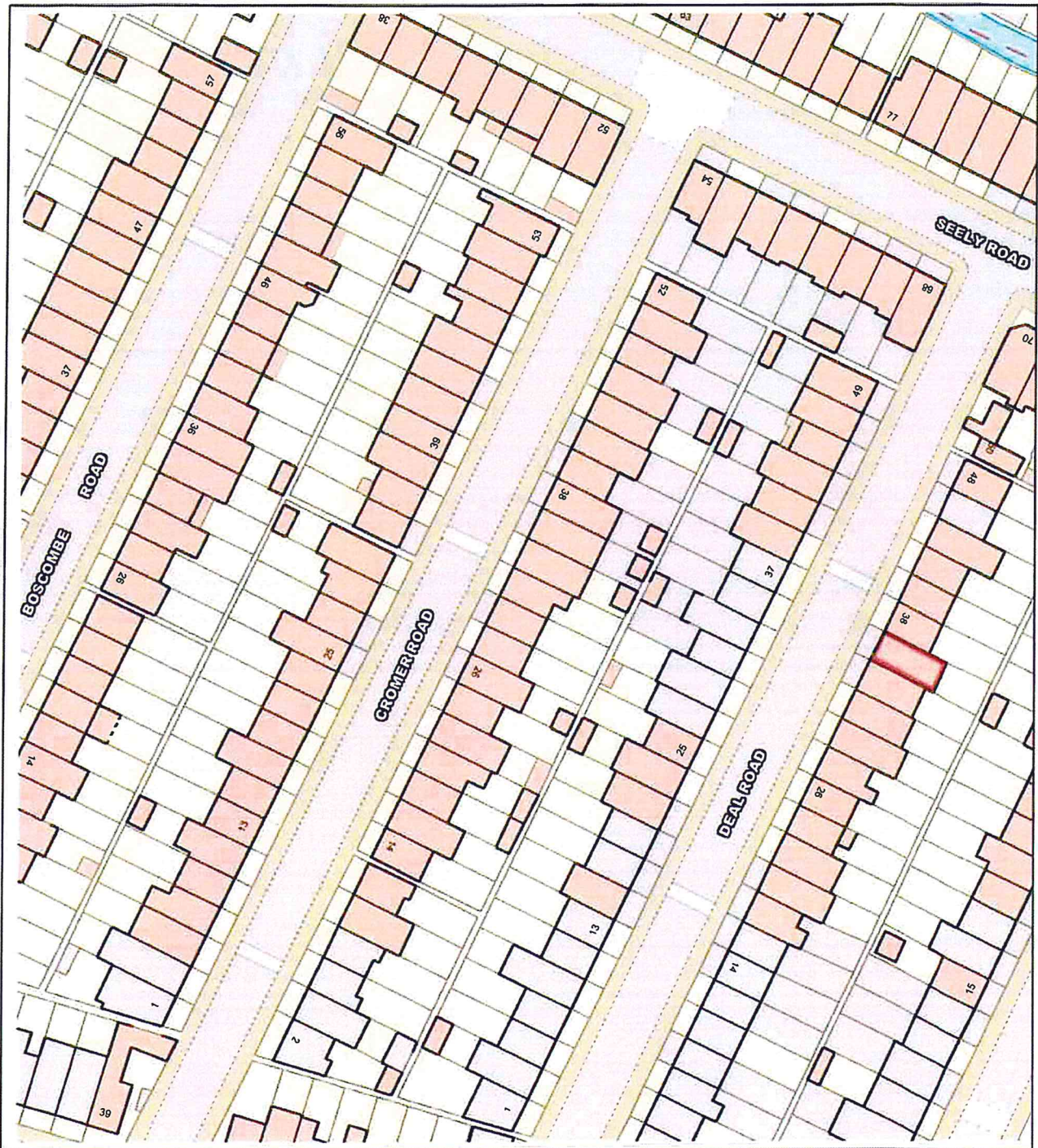
If you do not appeal against this enforcement notice, it will take effect on the date indicated above and you must then ensure that the notice is complied with. Failure to comply with an enforcement notice that has taken effect is a criminal offence and can result in legal proceedings and/or remedial action by the Council.

#### **PERSONS SERVED WITH A COPY OF THIS ENFORCEMENT NOTICE**

1. THE OCCUPIER of 36 Deal Road, Tooting, London SW17 9JW
2. GEORGE JOSEPH ADOLPHE of 36 Deal Road, Tooting, London, SW17 9JW
3. ROY PITTEr of 36 Deal Road, Tooting, London , SW17 9JW
4. BANK OF IRELAND (UK) PLC of Bow Bells House, 1 Bread Street, London EC4M 9BE



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