

**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 166 Boundary Road, Colliers Wood, London SW19 2AX** in the London Borough of Merton shown edged red on the attached plan ('the Land').

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

Without planning permission the conversion of a single family dwelling on the Land from a three bedroom house into two self contained flats.

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 unauthorised conversion negatively affects the amenities of the residents of the properties and provides sub-standard accommodation contrary to Policies HS.1 And HP.5 of the London Borough of Merton Unitary Development Plan (October 2003) and Supplementary Planning Guidance Notes on Residential Alterations and Conversions (November 2001).
- (c) The unauthorised conversion works negatively affect the amenities of the residents of the neighbouring properties by increasing pressure on parking capacity contrary to Policy PK.3 of the London Borough of Merton Unitary Development Plan (October 2003).

Copies of the above policies are attached.

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

- (a) Cease the use of the property as two self contained flats and reinstate the property to a single family dwelling.
- (b) Remove all means of separation of the units including external entry doors.
- (c) Lawfully remove from the Land all materials and debris resulting from the above works.

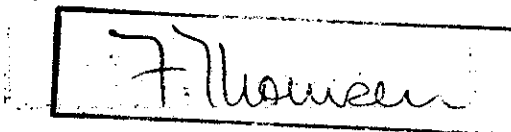
Time for Compliance: within 6 months from the date this notice takes effect.

**6. WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on 2 February 2010  
unless an appeal is made against it beforehand.

Dated: 23 December 2009

Signed.....



Principal/~~Senior~~ Lawyer  
London Borough of Merton

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: CS/LEG/RO/ENVP1580)

**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 **£670.00**

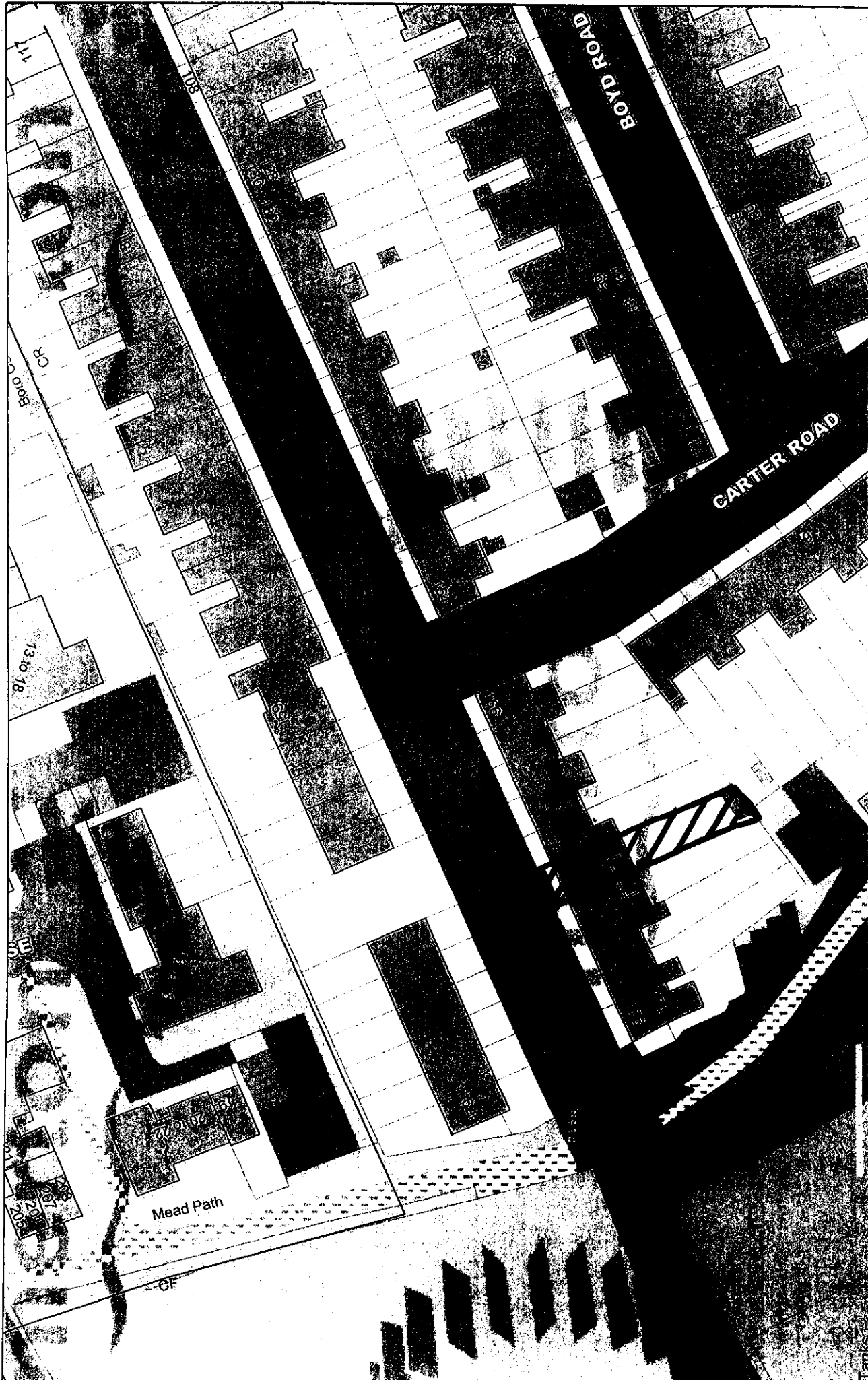
Half the fee is payable to the Planning Inspectorate and half to the Council.

You should therefore include:

One cheque for **£335.00** payable to The Department for Communities and Local Government

One cheque for **£335.00** payable to the London Borough of Merton

The fee can be sent with your appeal form.



London Borough of Merton  
100 London Road  
Morden  
Surrey  
SM4 5DX

Scale 1/500

Date 11/11/2009

166 Boundary Road

Colliers Wood

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## **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. Hani Shokri Zaki Basali, 166a Boundary Road, Colliers Wood, London SW19 2AX
2. Hani Shokri Zaki Basali, 166b Boundary Road, Colliers Wood, London SW19 2AX
3. Hani Shokri Zaki Basali, London Property Business Limited, 11 Murray Street, London NW1 9RE
4. Hani Shokri Zaki Basali, London Property Business Limited, Co Saga, 1a Hollybush Place, London E2 9QX
5. Hani Shokri Zaki Basali, c/o Mr M Robinson, 31 Whitford Gardens, Mitcham CR4 4AB
6. Hani Shokri Zaki Basali, 424 Lynmouth Avenue, Morden, Surrey SM4 4RU
7. Hani Shokri Zaki Basali, Flat 5, Keith House, Wyvil Road, London SW19
8. Hani Shokri Zaki Basali, Flat 4, 7 Collingham Road, London SW5 0NT
9. Rifaat Ramsis Phillips, 2 Napier Road, Isleworth, Middx TW7 7HW
10. Rifaat Ramsis Phillips, 166a Boundary Road, Colliers Wood, London SW19 2AX
11. Rifaat Ramsis Phillips, 166b Boundary Road, Colliers Wood, London SW19 2AX
12. The Occupier, 166a Boundary Road, Colliers Wood, London SW19 2AX
13. The Occupier 166b Boundary Road, Colliers Wood, London SW19 2AX
14. Mortgage Express, PO Box 88, Croft Road, Crossflatts, Bingley West Yorks BD16 2UA
15. Mortgage Express, Bingley Operations Centre, Main Street, Bingley, West Yorks BD16 2LW