

Register P. 183.  
Copy to Sean.

**IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY**

LONDON BOROUGH OF MERTON

**TOWN AND COUNTRY PLANNING ACT 1990**

**ENFORCEMENT NOTICE – OPERATIONAL DEVELOPMENT** 10 JAN 2008

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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 157 Robinson Road, Tooting, London SW17 9DS** 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 unauthorised conversion of a single family dwelling house into two separate self contained flats and the unauthorised erection of a single ground floor rear extension, rear roof dormer and rear garden outbuilding/store on the Land.

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 use/works negatively affects the amenities of the residents of the properties and provides substandard accommodation, contrary to policies HS.1 and HP.5 of the Adopted Merton Unitary Development Plan (October 2003) and Supplementary Planning Guidance Notes on Residential Extensions, Alterations and Conversions, November 2001
- (c) The unauthorised conversion works negatively affect the amenities of the residents of neighbouring properties by causing a loss of light, visual intrusion, noise disturbance and lack of parking capacity contrary to policies BE.15 AND PK2.
- (d) The poor design, external materials, siting, bulk and mass of the unauthorised extension works and garden building/store are contrary to policies BE.22 BE.23 and BE.24 of the adopted of the Adopted Merton Unitary Development Plan (October 2003)

## 5. WHAT YOU ARE REQUIRED TO DO

- (a) Cease the use of the property as two self contained flats.
- (b) Revert the property to its lawful use as a single-family dwelling house.
- (c) Remove all means of separation including internal flat doors.
- (d) Remove first floor kitchen
- (e) Remove the roof dormer and single storey rear extension.
- (f) Remove the rear garden outbuilding/store from the site.
- (g) Lawfully remove from the site, all materials and debris resulting from these works.

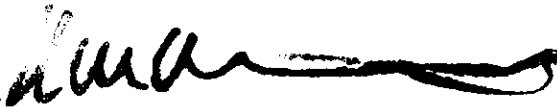
Time for Compliance: within **6 months** from the date this notice takes effect.

## 6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 20<sup>th</sup> February 2008 unless an appeal is made against it beforehand.

Dated: 9<sup>th</sup> January 2008

Signed



Head of Civic and Legal Services

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/FJ/ERPP66)

10 JAN 2008

## YOUR RIGHT OF APPEAL

You can appeal against this notice by using the Enforcement 

Notice	Appeal	forms
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 enclosed with this notice or by submitting an appeal online ([www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs)). Please note however that 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 send two copies of the enclosed appeal forms and one copy of the enforcement notice, to the Planning Inspectorate. The other appeal form and the other copy of the enforcement notice are for you to keep 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 **£530**.

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

You should therefore send:

One cheque for **£265** payable to 'DCLG' to the Planning Inspectorate

One cheque for **£265** payable to 'London Borough of Merton' to the Council

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. Sajid D. Ismail, 28 Graham Avenue, Mitcham, Surrey CR4 2HG
2. Shakil D. Ismail, 28 Graham Avenue, Mitcham, Surrey CR4 2HG
3. Sajid D. Ismail, 157 Robinson Road, Tooting, London SW17 9DS
4. Shakil D. Ismail, 157 Robinson Road, Tooting, London SW17 9DS
5. The Occupier, 157 Robinson Road, Tooting, London SW17 9DS
6. Sajid D Ismail, Flat 1, 157 Robinson Road, Tooting, London SW17 9DS
7. The Occupier, Flat 1, 157 Robinson Road, Tooting, London SW17 9DS
8. Shakil D. Ismail, Flat 2, 157 Robinson Road, Tooting, London SW17 9DS
9. The Occupier, Flat 2, 157 Robinson Road, Tooting, London SW17 9DS
10. Chelsea Building Society, Thirlestaine Hall, Thirlestaine Road, Cheltenham, Glos GL53 7AL

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**10 JAN 2008**

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