

**IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY**

**TOWN AND COUNTRY PLANNING ACT 1990 SECTION 187A**

**BREACH OF CONDITION NOTICE**

**TO: The Secretary  
Tesco Stores Limited  
300 Beverley Way  
New Malden  
Surrey KT3 4PJ**

ISSUED BY THE LONDON BOROUGH OF MERTON

1. **THIS IS A FORMAL NOTICE** issued by the Council under Section 187A of the above Act, because it considers that a condition or conditions imposed on a grant of planning permission relating to the land described below has not been complied with. The Council considers that you should be required to comply or secure compliance with the condition specified in this notice.

2. **THE LAND AFFECTED**

**Land at Tesco Superstore, 300 Beverley Way, New Malden, Surrey, KT3 4PJ shown edged red on the plan**

3. **THE RELEVANT PLANNING PERMISSION**

The planning permission reference 94/P1102 dated 9 February 1995 ( copy attached) was granted subject to conditions for extension and alteration to existing car park to provide an additional 70 spaces.

4. **THE BREACH OF CONDITION**

The following condition has not been complied with:

1. Condition 1 " No access shall be obtained to the site from Burlington Road other than for emergency purposes"

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

As the person responsible for the breach of condition specified in paragraph 4 of this notice, you are required to comply or secure compliance with the stated condition by taking the following step(s):

1. Condition 1 secure cessation of the access from Burlington Road for non emergency purposes

London Borough of Merton

**Within one month after this notice is served on you**

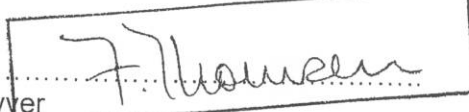
**20 JAN 2009**

6. **WHEN THIS NOTICE TAKES EFFECT**

**This notice takes effect immediately it is served on you.**

Dated: 19 January 2009

Signed.....  
Principal Lawyer

A rectangular box containing a handwritten signature in black ink. The signature appears to be 'F. Harrison'.

Address to which all communication should be sent:-

Interim Head of Civic and Legal Services, London Borough of Merton, Civic Centre, London  
Road, Morden, Surrey SM4 5DX  
(REF: LE/SLL/ENVP1431)

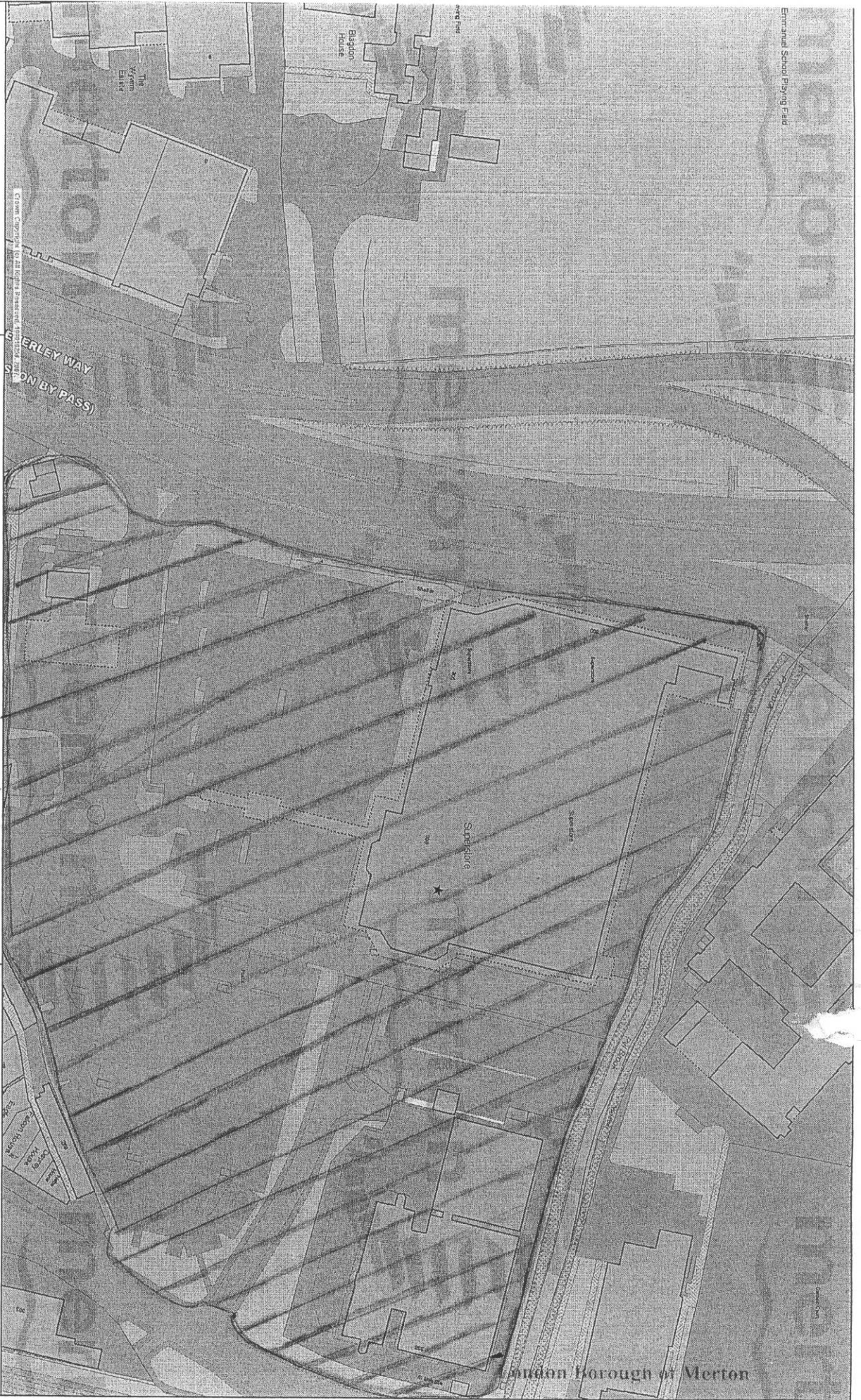
**WARNING: THERE IS NO RIGHT OF APPEAL AGAINST THIS NOTICE**

It is an offence to contravene the requirements stated in paragraph 5 of this notice after the end of the compliance period.

You may then be at risk of immediate prosecution in the Magistrates' Court for which the maximum penalty is £1,000.

If you are in any doubt about what this notice requires you to do, you should contact Mr Harrington 0208 545 3836.

If you wish to challenge the validity of this notice, you may only do so by an application to the High Court for judicial review. A lawyer will advise you of what this procedure involves.



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**DEVELOPMENT CONTROL**

**300 Beverley Way (TESCOS)**

**New Malden**

Scale 1/1650

Date 28/11/2007

Zen Ridge

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



20 JAN 2009