

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 14 Glenthorpe Road Morden SM4 4JW 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 erection on the Land of raised timber decking with uprights and a polycarbonate lean to and roofing.

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 raised decking and lean to, by reason of their size and siting, are considered an unneighbourly form of development which is intrusive, overly dominant and harmful to the amenity of adjacent properties due to loss of outlook, overshadowing and loss of privacy, contrary to the principles of policy 7.6 of the London Plan 2011 and policy DM D2 and DM D3 of the Merton Sites and Policies Plan 2014.
- (c) The lean to by reason of design, bulk and siting fails to respect the appearance, materials, scale, bulk, proportion and character of the original building and its surroundings, contrary to the principles of policy CS14 of the Merton Core Strategy 2011 and Policy DM D3 of the Merton Sites and Policies Plan 2014.

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

- (a) Remove the polycarbonate lean to roofing structure.
- (b) Remove the timber decking.
- (c) Remove from the Land all materials and debris resulting from compliance with (a) and (b) above.

Time for Compliance: within one month from the date this notice takes effect.

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 5 August 2015
unless an appeal is made against it beforehand.

Dated: 24 June 2015

Signed.....
Assistant Director of Corporate Governance
South London Legal Partnership

Address to which all communication should be sent:-
Head of Legal Services, South London Legal Partnership, Gifford House, 67c St Helier Avenue, Morden, Surrey SM4 5DX (Ref: CS/LEG/RO/511/530)

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 **£344.00** 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. Ali Ahmed, 7b Skeena Hill, London SW19 5PJ.
2. Ali Ahmed, 14 Glenthorpe Road, Morden SM4 4JW
3. The Occupier, 14 Glenthorpe Road, Morden SM4 4JW
4. Lloyds Bank Plc, Registrations, Secured Assets, Barnett Way, Gloucester GL4 3RL

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