

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY
TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED BY THE
PLANNING AND COMPENSATION ACT 1991)

ENFORCEMENT NOTICE – 14/E0431

Material Change of Use

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.
2. **THE LAND AFFECTED**

The land and property known as 14 St James Road, Mitcham, CR4 2DA shown edged red on the plan attached ("the Premises")
3. **THE BREACH OF PLANNING CONTROL ALLEGED**

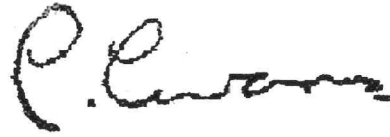
Without planning permission the unauthorised conversion of the Premises from a single dwelling house to two self-contained flats ("the Units")
4. **REASONS FOR ISSUING THIS NOTICE**
 1. The above breach of planning control has occurred within the last four years.
 2. The unauthorised conversion of the Premises into Units has resulted in the loss of a family-sized unit and failed to provide a replacement family sized unit (defined as a three or more bedroom unit) within the development as required by policy CS14 of the LDF Core Planning Strategy 2011.
 3. The conversion fails to provide private amenity space for the upper floor unit, contrary to policy DM D2 of the Merton Sites and Policies Plan 2014 and Section 7 & 12 of the National Planning Policy Framework [NPPF].
5. **WHAT YOU ARE REQUIRED TO DO**
 - A. Cease the residential use of each of the Units
 - B. Remove all bathroom facilities [including toilet, sink, bath/shower, units etc] from the Units
 - C. Remove all kitchens units [including sink] and appliances [including fridge, cookers etc] from the Units
 - D. Remove all internal partitions, divisions, water heating equipment and utility meters that facilitates the use of the property as Units
 - E. Remove from the premises all resultant debris and paraphernalia as a result of the above requirements a – d.

6. TIME FOR COMPLIANCE

Three calendar months after this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on **5th June 2015**, unless an appeal is made against it beforehand.



Dated: **29th April 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/511-516)

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 OWNER / OCCUPIER, 14 St James Road, Mitcham, CR4 2DA
2. ABDUL WAHEED SHAHID of 14 St James Road, Mitcham, Surrey CR4 2DA
3. FARIDAH KHALAD SHAHID of 14 St James Road, Mitcham, Surrey CR4 2DA.
4. THE OWNER / OCCUPIER Flat 1, 14 St James Road, Mitcham, CR4 2DA
5. THE OWNER / OCCUPIER Flat 2, 14 St James Road, Mitcham, CR4 2DA
6. SANTANDER UK PLC of 2 Triton Square, Regents Park, London, NW1 3AN

If you believe that there is someone else who should be served with a copy of the enforcement notice/s please let that person and the Council know as soon as possible.



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

Scale 1/1272

Date 22/4/2015

14 St James Road Mitcham CR4 2DA

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DEVELOPMENT CONTROL

