

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 Flat 3, 28 Lingfield Road, Wimbledon SW19 4PU 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 installation of plastic uPVC framed fenestration on the Land.

4. **REASONS FOR ISSUING THIS NOTICE**

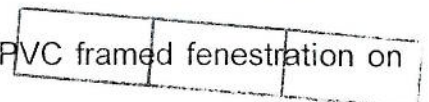
- (a) It appears to the Council that the above breach of planning control has occurred within the last four years.
- (b) The windows by reasons of their design and materials result in an incongruous and unsympathetic form of development, failing to enhance or preserve the character of the conservation area contrary to policies BE1 'Conservation Areas, New Development, Change of Use, Alterations and Extensions' and BE.11: Local List; Rehabilitation and Maintenance of the Merton Unitary Development Plan (2003).

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

- (a) Permanently remove the 3 unauthorised uPVC framed fenestration forming a bay window on the front (south elevation).
- (b) Permanently remove the single unauthorised uPVC framed fenestration on the side (west elevation).
- (c) Permanently remove the 3 unauthorised uPVC framed fenestration forming a bay window on the rear (north elevation).
- (d) Permanently remove the single unauthorised uPVC framed fenestration on the side (east elevation).

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- (e) Permanently remove the small single unauthorised uPVC framed fenestration to the rear, in the side elevation of the kitchen (eastwardly facing) towards the terrace.
- (f) Replace the removed fenestration subject to this Enforcement Notice, with wooden framed windows to the same design and detail as was present before the breach occurred.
- (g) Remove all waste, debris and materials resulting from compliance with other requirements of the Notice.

Time for Compliance: within 5 months from the date this notice takes effect.

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 25 April 2013
 unless an appeal is made against it beforehand.

Dated: 14 March 2013

Signed.....
P. Evans
 Assistant Director of Corporate Governance
 Merton & Richmond Legal Services

Address to which all communication should be sent:-
 Head of Legal Services, Merton & Richmond Legal Services, Gifford House, 67c St Helier Avenue, Morden, Surrey SM4 5DX (Ref: CS/LEG/RO/448-268)

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.

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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. Douglas James Scott Mclsaac
Flat 3
28 Lingfield Road
Wimbledon SW19 4PU
2. Hiroko Mclsaac
Flat 3
28 Lingfield Road
Wimbledon SW19 4PU
3. Hiroko Ueno
Flat 3
28 Lingfield Road
Wimbledon SW19 4PU
4. The Occupier
Flat 3
28 Lingfield Road
Wimbledon SW19 4PU
5. Nationwide Building Society
Nationwide House
Pipers Way
Swindon L SN38 1NW
6. George Henry Galazkas
28 Lingfield Road
Wimbledon SW19 4PU
7. Simon Howard Jones
28 Lingfield Road
Wimbledon SW19 4PU
8. Marja-Leena Toseland
28 Lingfield Road
Wimbledon SW19 4PU

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Flat 3, 28 Lingfield Road, Wimbledon, SW19 4PU
(Located on the Upper Ground Floor)



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