

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990

ENFORCEMENT NOTICE – MATERIAL CHANGE OF USE

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 242 Streatham Road, Streatham, London SW16 6NY, in the London Borough of Merton shown edged red on the attached plan ('the Land').

3. **THE BREACH OF PLANNING CONTROL ALLEGED**

The material change of use of the house, without planning permission, into a house in multiple occupation.

4. **REASONS FOR ISSUING THIS NOTICE**

- (a) It appears to the Council that the above breach of planning control has occurred within the last ten years.
- (b) The unauthorised change of use results in a loss of small family dwellings in the local area contrary to Policy HP.5 of the Adopted Merton Unitary Development Plan (October 2003).
- (c) The unauthorised change of use negatively affects the amenities of adjoining residents and occupants of the Land and provides substandard accommodation in terms of insufficient amenity provision and a lack of privacy, contrary to Policy HS.1 of the Adopted Merton Unitary Development Plan (October 2003) and Supplementary Planning Guidance Notes on Residential Extensions, Alterations and Conversions, November 2001.
- (d) The unauthorised change of use adversely affects the amenities of the residents of the neighbouring properties by failing to provide off street parking causing pressure on local parking capacity contrary to Policy PK.2.

Copies of the above policies are attached.

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

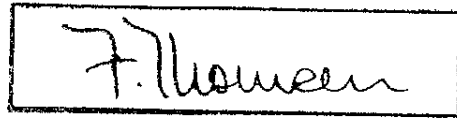
- (a) To cease the use of the Land as a house in multiple occupation.

- (b) To revert the Land to its lawful use as a single-family dwelling.
- (c) Lawfully remove from the Land 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 10 September 2009 unless an appeal is made against it beforehand.



Dated: 6 August 2009

Signed.....
Principal Lawyer

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: LEG/AW/ERPP130)

YOUR RIGHT OF APPEAL

You can appeal against this notice by using the Enforcement Notice Appeal forms enclosed with this notice or by submitting an appeal online (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.

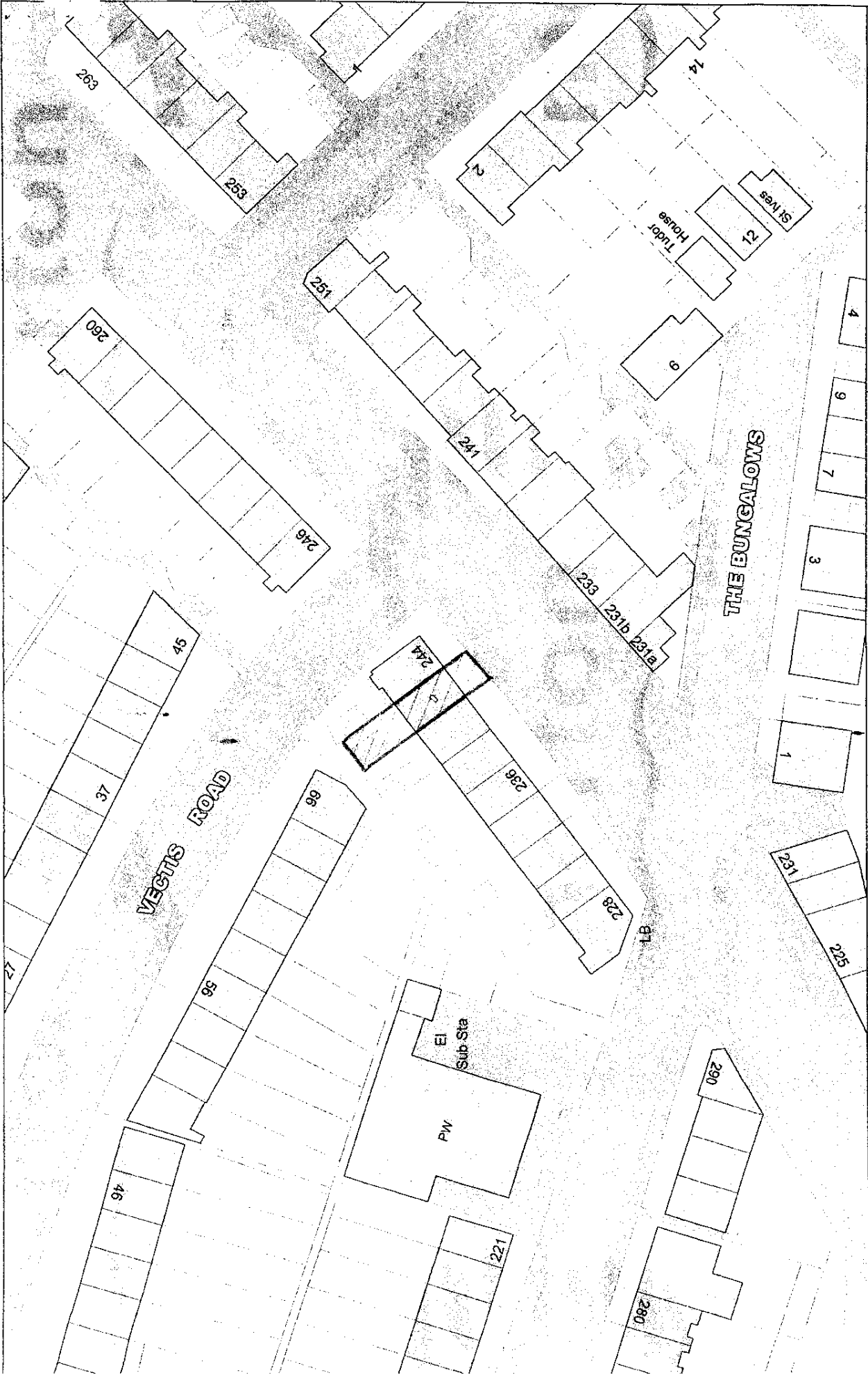
FEE PAYABLE FOR THE DEEMED APPLICATION

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 **£670**. Half the fee is payable to the Planning Inspectorate and half to the Council. You should therefore send:

One cheque for **£335** payable to 'DCLG' to the Planning Inspectorate
One cheque for **£335** 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



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242 Streatham Road
SW16 6NY

Scale 1/500
Date 13/7/2009

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

