

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 5 Ashtree Avenue, Mitcham, Surrey CR4 3DS 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 of a single storey rear extension 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 proposed extension, by reason of its depth, scale and position would be visually dominant and unduly intrusive to the detriment of the visual amenities of the occupiers of No. 7 Ashtree Avenue and would be contrary to policies BE.15 & BE.23 of the Merton Unitary Development Plan (2003).

Copies of the above policies are attached.

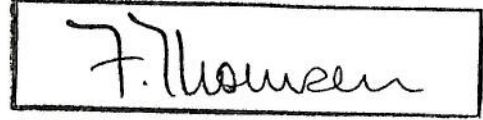
5. **WHAT YOU ARE REQUIRED TO DO**

- (a) Demolish the single storey rear extension and remove all resulting debris from the site.

Time for Compliance: within **2 months** from the date this notice takes effect.

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on **4 December 2009** unless an appeal is made against it beforehand.



Dated: 29 October 2009

Signed.....

Fiona Thomsen
(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: AW/ERPP142)

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 **£300**

Half the fee is payable to the Planning Inspectorate and half to the Council.

You should therefore include:

One cheque for **£150** payable to The Department for Communities and Local Government

One cheque for **£150** payable to the London Borough of Merton

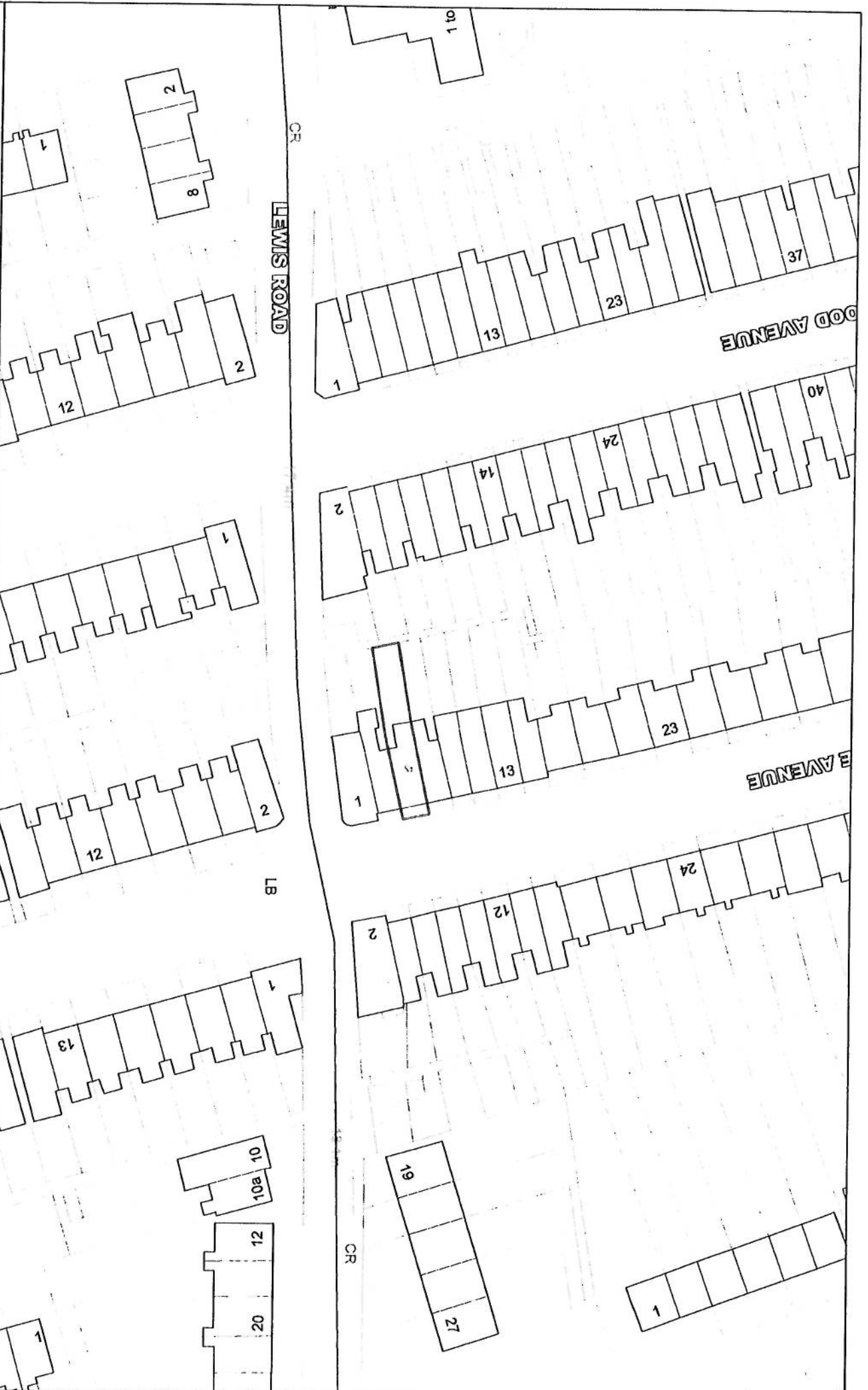
The fee can be sent with your appeal form.

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. Cathy Hart, 5 Ashtree Avenue, Mitcham, Surrey CR4 3DS
2. The Secretary, Abbey National PLC, of Deeds Services, 101 Midsummer Boulevard, Milton Keynes MK9 1AA



This map is based on Ordnance Survey material with the permission of Ordnance Survey on behalf of HMSO. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or Civil proceedings. London Borough of Merton 100019259, 2009

5 Ashtree Avenue, Mitcham, Surrey, CR4 3DS

Scale 1/500

Date 9/10/2009

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

