

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 87 Hillcross Avenue , Morden, SM4 4AY 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, a material change of use of the Land from a single-family dwelling house to two self contained flats.

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 development provides for a substandard level of accommodation to current and future occupiers by means of layout, size and access to amenity space, contrary to policies HS.1 of Merton's Unitary Development Plan (Adopted October 2003) and Supplementary Planning Guidance Residential Alterations Extensions and conversions (November 2001)
- (c) The development has resulted in an increase to on –street parking contrary to policy PK3 of Merton's Unitary Development Plan (Adopted October 2003)

Copies of the above policies are attached.

LONDON BOROUGH OF MERTON

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

30 JUL 2009

- (a) To cease the use of the Land as two self contained flats
- (b) Revert the property back to a single-family dwelling unit.
- (c) Remove all duplicated facilities such as kitchen, bathrooms to ensure the property is clearly identified as a single family dwelling

Time for Compliance: within 6 months **from** the date this notice takes effect.

6. **WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect 28 days after the date it is served upon you, unless an appeal is made against it beforehand.

Dated: **29 July 2009**

Signed.....*Helen White*.....
Head of Civic and Legal Services

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: ERPP108PT)

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 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

30 JUL 2009

--	--	--

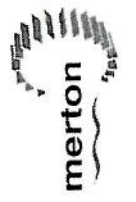
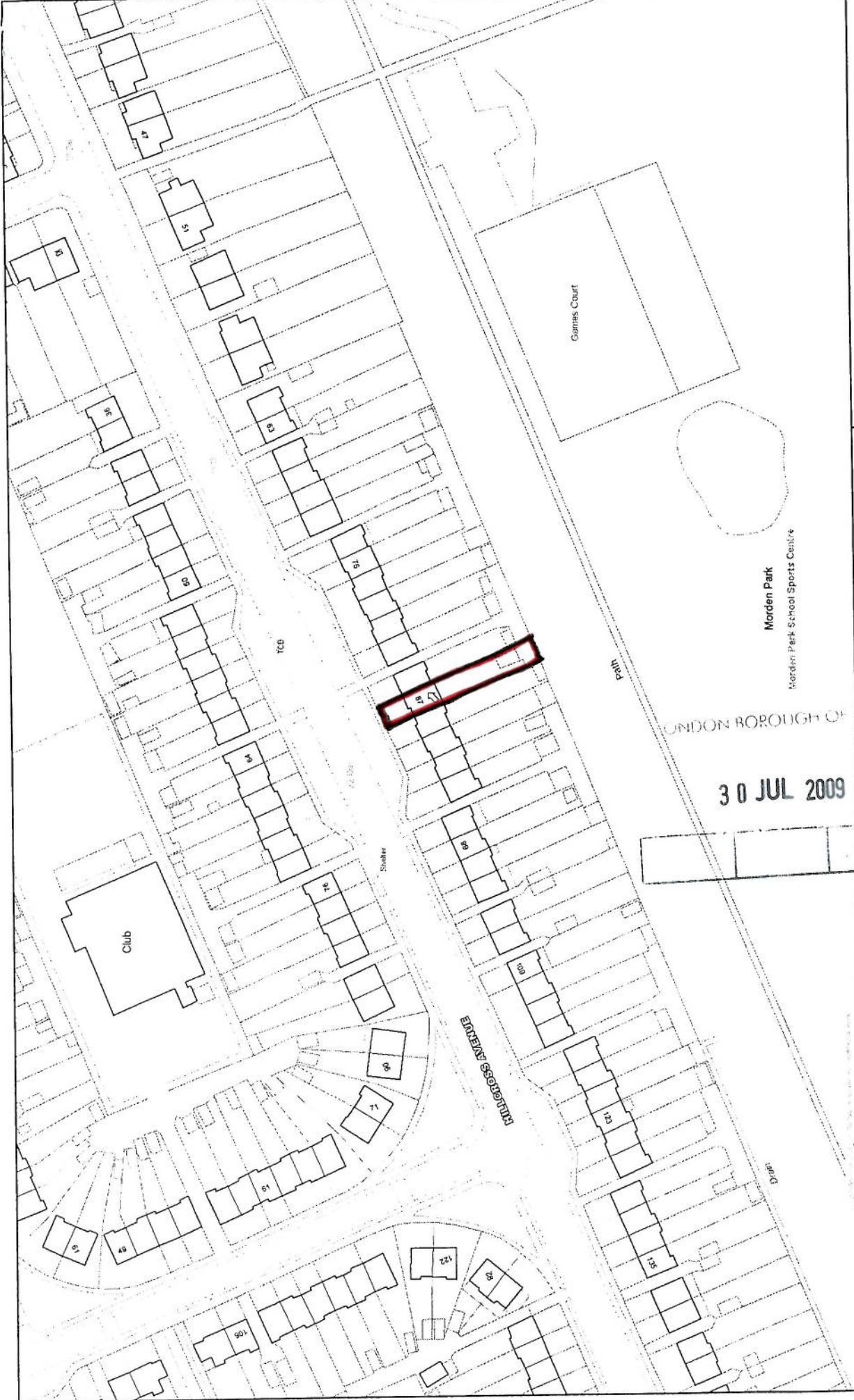
LONDON BOROUGH OF MERTON

1. MUBASHAR AHMED SANDHU of 87 Hillcross Avenue , Morden , Surrey SM4 4AY
2. BANK OF SCOTLAND PLC Birmingham Midshires Division, Pendeford Business Park , Wobastion Road , Wolverhampton WV9 5HZ

LONDON BOROUGH OF MERTON

30 JUL 2009





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

Scale 1/1250
 Date 11/3/2009

87 Hillcross Avenue
 Morden, Surrey, SM4 4AY

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, 2008

DEVELOPMENT CONTROL