

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990

ENFORCEMENT NOTICE – OPERATIONAL DEVELOPMENT

London Borough of Merton

27 NOV 2008

Planning Development Control

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 8 Lower Downs Road, Raynes Park, London, SW20 8QF in the London Borough of Merton shown edged red on the attached plan ('the Land').

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

The erection, without planning permission, of a wooden fence boundary and gate measuring more than 1m in height adjacent to a highway at 8 Lower Downs Road, Raynes Park, London SW20 8QF.

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 erection of the wooden fence boundary and gate is contrary to the following policy of the Merton Unitary Development Plan (Adopted October 2003)

BE.22 Design of New Development

A copy of the above policy is attached.

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

- (a) Remove the fence at the front of the house, adjacent to Lower Downs Road and Ethelbert Road

or

- (b) Reduce the height of the fence at the front of the house adjacent to Lower Downs Road and Ethelbert Road to no more than 1 metre high so that it complies with permitted development rights

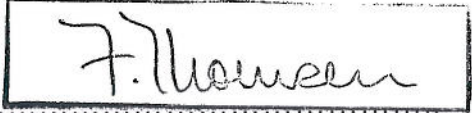
Time for Compliance: within 1 month from the date this notice takes effect.

6. WHEN THIS NOTICE TAKES EFFECT

Planning Development Control

This notice takes effect on 31st December 2008
 unless an appeal is made against it beforehand.

Dated: 26th November 2008

Signed..... 
 For Interim 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: LS/SO/ENVP/1385)

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/pes). 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 **£300**.

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

You should therefore send:

One cheque for **£150** payable to 'DCLG' to the Planning Inspectorate

One cheque for **£150** 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

1. Kate Rossini, 8 Lower Downs Road, Raynes Park, London, SW20 8QF
2. Charles Evans, 8 Lower Downs Road, Raynes Park, London, SW20 8QF
3. Northern Rock PLC, Northern Rock House, Gosforth, Newcastle Upon Tyne, NE3 4PL

London Borough of Merton

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8 Lower Downs Rd
Raynes Park
SW20

LONDON BOROUGH OF MERTON
Environmental Services Department

Civic Centre, London Road, Morden, Surrey, SM4 5DX
Telephone: 020 8543 2222 Web: www.merton.gov.uk

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