

**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 Prince George's Playing Fields, Bushey Road / Grand Drive, SW20 9HD** 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 use of the Land for the purposes of operating car boot sales, selling of Christmas trees, festivals, fun fairs and a circus on the Land exceeding 28 days temporary uses permitted under Part 4, Class B of the Town & Country Planning (General Permitted Development) Order 1995.

4. **REASONS FOR ISSUING THIS NOTICE**

- (a) It appears to the Council that the above breach of planning control has occurred within the last 10 years.
- (b) The uses of Metropolitan Open Land (MOL) for car boot sales, sale of Christmas trees, festivals, fairs and circus arising from the size of the area affected, the duration and frequency of the use, and the number of vehicles accessing the site from Bushey Road fails to maintain the open character of the Land during daylight hours to the detriment of the visual amenities of the MOL, and would be likely to detract from the nature conservation quality of the Land, contrary to policies NE.1, NE.3, NE.6, NE.7 & NE.11 of the Adopted Merton Unitary Development Plan (October 2003).
- (c) The aforementioned use, by reason of the associated vehicle movements, leads to congestion on the surrounding highways and detracts from the general conditions of highway and pedestrian safety, contrary to Policy LU.3 of the Adopted Merton Unitary Development Plan (October 2003).

Copies of the above policies are attached.

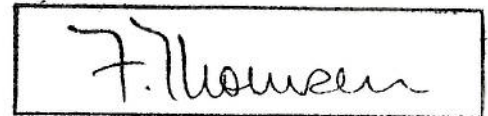
5. **WHAT YOU ARE REQUIRED TO DO**

- (a) Cease the activities described above at such time as the permitted number of events has been reached as defined within Part 4, Class B of the Town & Country (General Permitted Development) Order 1995.

Time for Compliance: within **28 days** from the date this notice takes effect.

**6. WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on **21 January 2010** unless an appeal is made against it beforehand.



Dated: **17<sup>th</sup> December 2009**

Signed.....  
Principal Lawyer  
London Borough of Merton

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/ERPP164)

**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 **£670**  
Half the fee is payable to the Planning Inspectorate and half to the Council.  
You should therefore include:  
One cheque for **£335** payable to The Department for Communities and Local Government  
One cheque for **£335** payable to the London Borough of Merton  
The fee can be sent with your appeal form.

## **WHAT HAPPENS IF YOU DO NOT APPEAL**

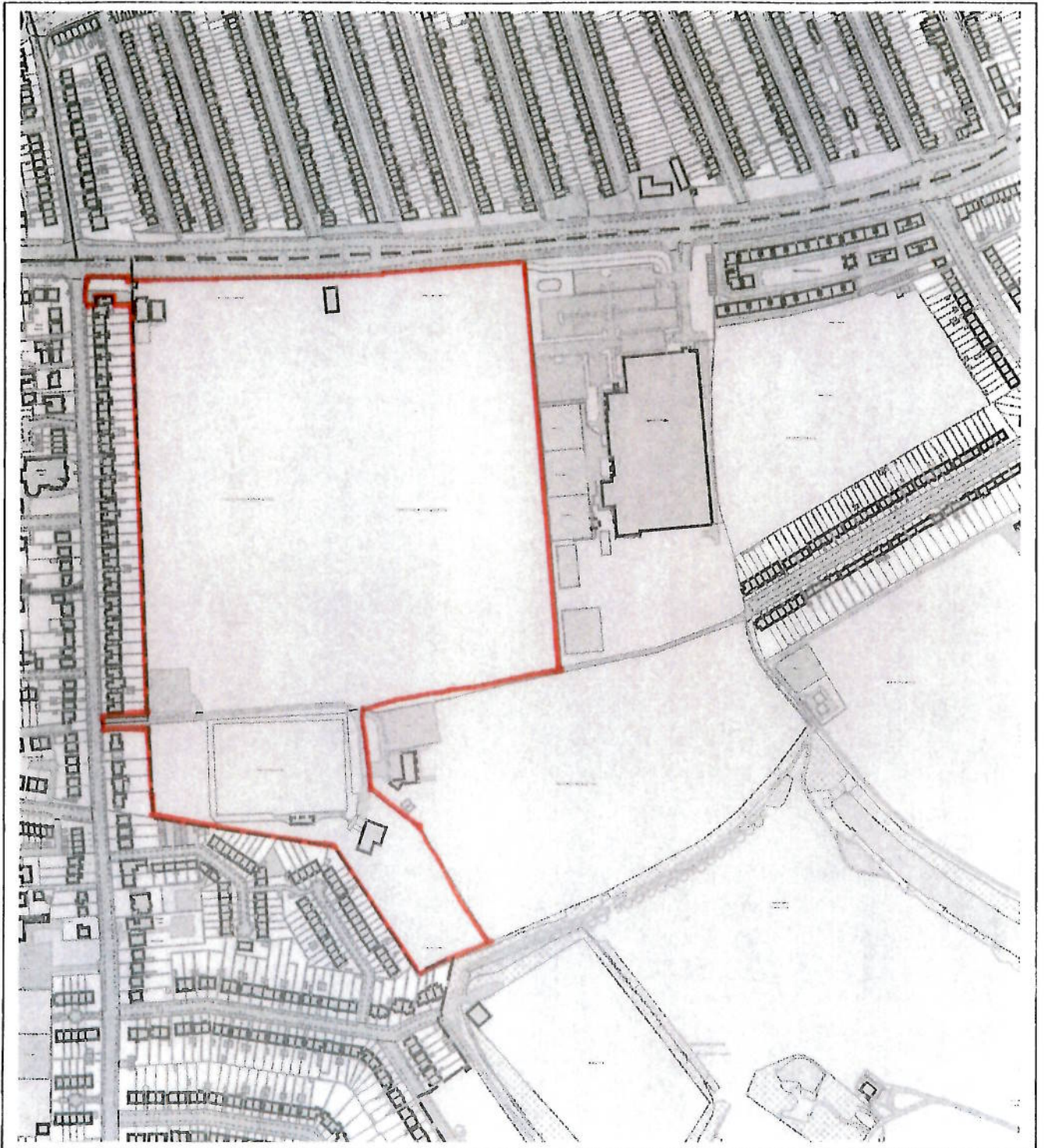
If you do not appeal against this enforcement notice, it will take effect on the date indicated above and you must then ensure that the notice is complied with. Failure to comply with an enforcement notice that has taken effect, is a criminal offence and can result in legal proceedings and/or remedial action by the Council.

## **PERSONS SERVED WITH A COPY OF THIS ENFORCEMENT NOTICE**

1. **Mr Matthew James, Tall Trees Park Homes & Lodges, Matchams Lane, Christchurch, Dorset BH23 6AW**
2. **Mr Tony Hurrell, 1 Inglewood, Pixton Way, Forestdale, Croydon, CR0 9LN**
3. **Mr Tony Hurrell, Prince George's Playing Fields, Bushey Road / Grand Drive, London SW20 9NB**
4. **Mr Steven Arnold, 82 Wandle Road, Morden, Surrey SM4 6AE**
5. **Mr Steven Arnold, Prince George's Playing Fields, Bushey Road / Grand Drive, London SW20 9NB**
6. **The Secretary, Cromford Properties Limited, 44 Crouch Hall Lane, Redbourn Street, St Albans, Hertfordshire AL3 7EU**
7. **Owner / Occupier, Prince George's Playing Fields, Bushey Road / Grand Drive, London SW20 9NB**



# NORTHGATE SE GIS Print Template



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