

TOWN AND COUNTRY PLANNING ACT 1990

ENFORCEMENT NOTICE

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 rear of 237-239 South Park Road, Wimbledon, London SW19 8RY in the London Borough of Merton shown edged red on the attached plan.

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

Without planning permission change of use of the Land for the storage and parking of motor vehicles for sale.

4. **REASONS FOR ISSUING THIS NOTICE**

It appears to the Council that the above breach of planning control has occurred within the last ten years.

The unauthorised use has an unacceptable impact on residential amenity through noise, disturbance and appearance and would introduce an unacceptable use type on a small employment site outside of a designated industrial area contrary to policies BE22 (Design of New Development), E1 (general employment policy) E3 (Land uses in industrial areas) E6 (Loss of Employment Land outside the Designated Industrial Areas) E7 (Land Uses on sites Outside the Designated Industrial Areas), PE2 (Pollution and amenity) of the Unitary Development Plan (October 2003)

Copies of the above policies are attached.

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

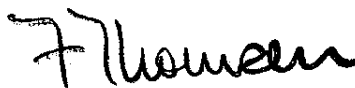
- (a) cease the unauthorised use of the land for the storage and parking of motor vehicles for sale.
- (b) Remove all vehicles stored for the purpose of the unauthorised use from the Land

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

6. **WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on 12 July 2009 unless an appeal is made against it beforehand.

Dated: 9 June 2009



Signed.....

Principal Lawyer

Address to which all communication should be sent:-

Interim Head of Civic & Legal Services, London Borough of Merton, Civic Centre, London Road,
Morden, Surrey SM4 5DX
(REF: LEG/SL/ENVP1486)

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 12 July 2009. The enclosed booklet "Making Your 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 complete the enclosed appeal forms and send a copy of each of the form and enforcement notice to the Planning Inspectorate and the London Borough of Merton. The other appeal form and enforcement notice are 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 include:

One cheque for **£335.00** payable to The Department for Communities and Local Government

One cheque for **£335.00** payable to the London Borough of Merton

The fee can be sent with your appeal form.

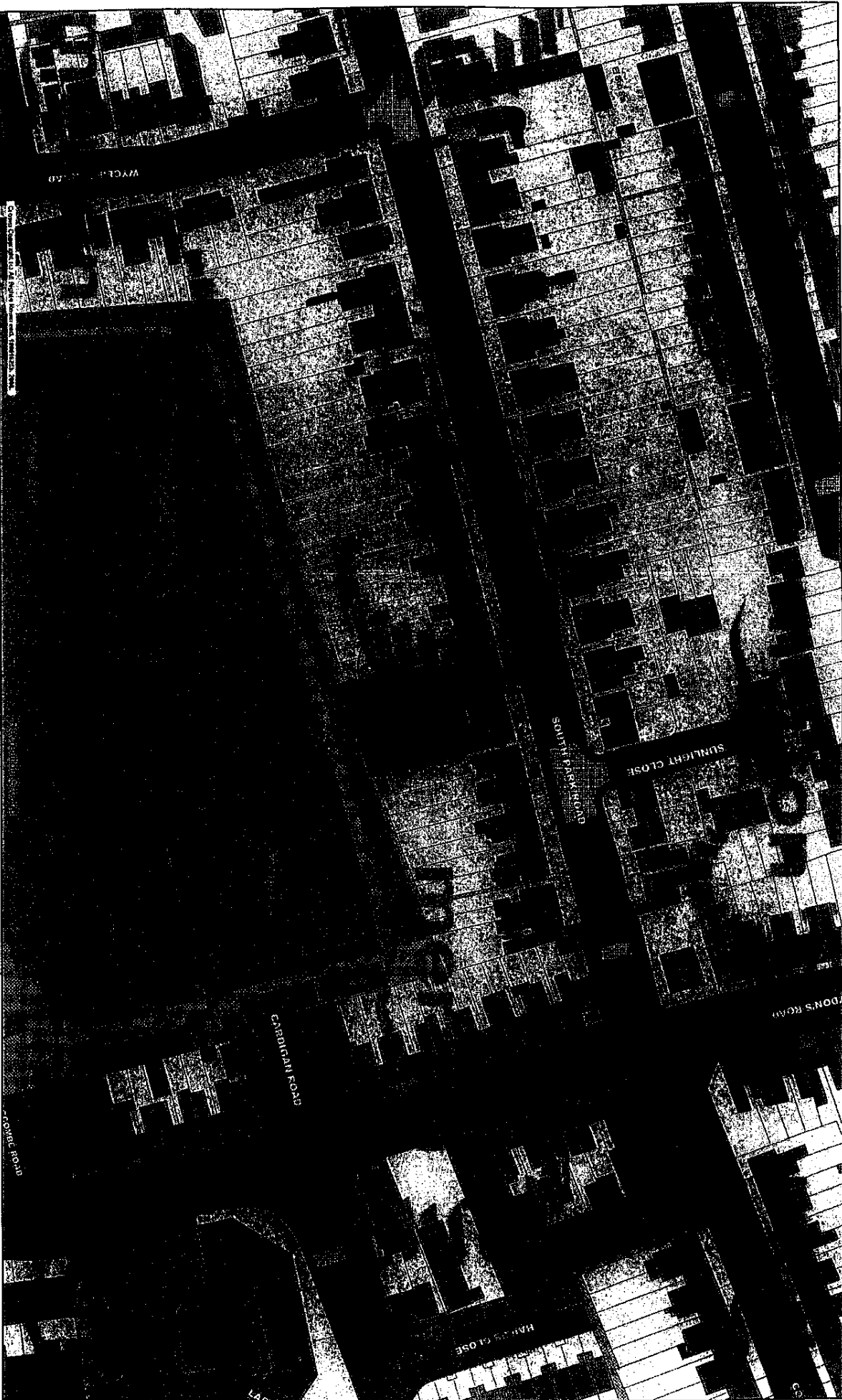
WHAT HAPPENS IF YOU DO NOT APPEAL

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. The Secretary, Linkwood Consultants Limited, 2nd Floor, 167-169 Great Portland Street, London W1W 5PF
2. The Secretary, National Westminster Bank PLC, Second Floor, 1-15 King Street, Hammersmith, London, W6 9HR

3. Ms Phillis Nightingale, c/o Oliver Fisher, Solicitors, 19-21 Young Street, Kensington, London W8 5EH
4. Mark Julian Holden, Typhoon Building, Oakcroft Road, Chessington, Surrey KT9 1RH
5. The Occupier, Land to the rear of 237-239 South Park Road, London SW19 8RY
6. Mr A Senny, The Cedars, 116 Foxley Lane, Purley, Surrey CR8 3NB



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London Borough of Merton 100019259, 2008

DEVELOPMENT CONTROL

237-239 South Park Road

Wimbledon SW19 8DY

Scale 1/1250

Date 1/7/2008

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

