

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990
(as amended by the PLANNING AND COMPENSATION ACT 1991)
(hereinafter referred to as "the Act")

ENFORCEMENT NOTICE NO.1

(hereinafter referred to as "the Notice")

ISSUED BY: **THE COUNCIL OF THE LONDON BOROUGH OF MERTON**
(hereinafter referred to as "the Council")

1. THIS IS A FORMAL NOTICE which is issued by the Council because it appears to it that there has been a breach of planning control under Section 171A(1) (a) of the Act at the land (hereinafter referred to as "the Land") described in Paragraph 2 below. The Council considers that it is expedient to issue this Notice having regard to the provisions of the Development Plan and to other material planning considerations.

2. THE LAND TO WHICH THE NOTICE RELATES

The land and premises known as 6 The Brambles Woodside Wimbledon London SW19 7AY and shown edged red on the attached plan ["the Plan"].

3. THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL

Without planning permission, an unauthorised building operation namely the erection of a wooden single-storey building on top of an off-street car parking space on the Land in the approximate position marked with a cross on the Plan.

4. REASONS FOR ISSUING THIS NOTICE

- a) It appears to the Council that the above breach of planning control has occurred in the last 4 years. The building in question was substantially completed less than four years ago.
- b) The Building looks like, and appears to have been designed as, a garage.
- c) The unauthorised building constitutes an over dominant and visually intrusive form of development which is detrimental to the appearance of the Land and harmful to the character and amenity of other residential properties in the locality and the surrounding area.
- d) The unauthorised building is contrary to policies EB.18; EB.23 and H.22 of the adopted Merton Unitary Development Plan (April 1996) and BE.22; BE.23 and BE.28 of the Second Deposit Draft Merton Unitary Development Plan (October 2000 as amended by Proposed Modifications June 2003).
- e) The unauthorised building is not Permitted Development pursuant to The Town and Country Planning (General Permitted Development) Order 1995 as the unauthorised building is too large and adjacent to the public highway.

5. WHAT YOU ARE REQUIRED TO DO

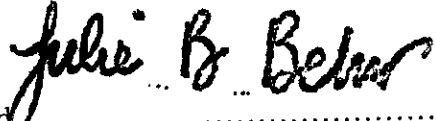
- (1) Demolish and remove from the Land the unauthorised building.
- (2) Restore the Land to its condition before the breach took place and reinstate the original off-street car parking space on the Land.
- (3) Remove all materials, tools and debris resulting from the demolition and removal of the unauthorised building from the Land.

Time for compliance: 3 months after this Notice takes effect

6. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on the 7th **October 2003** unless an appeal is made against it beforehand.

Dated the 19th August 2003

Signed 

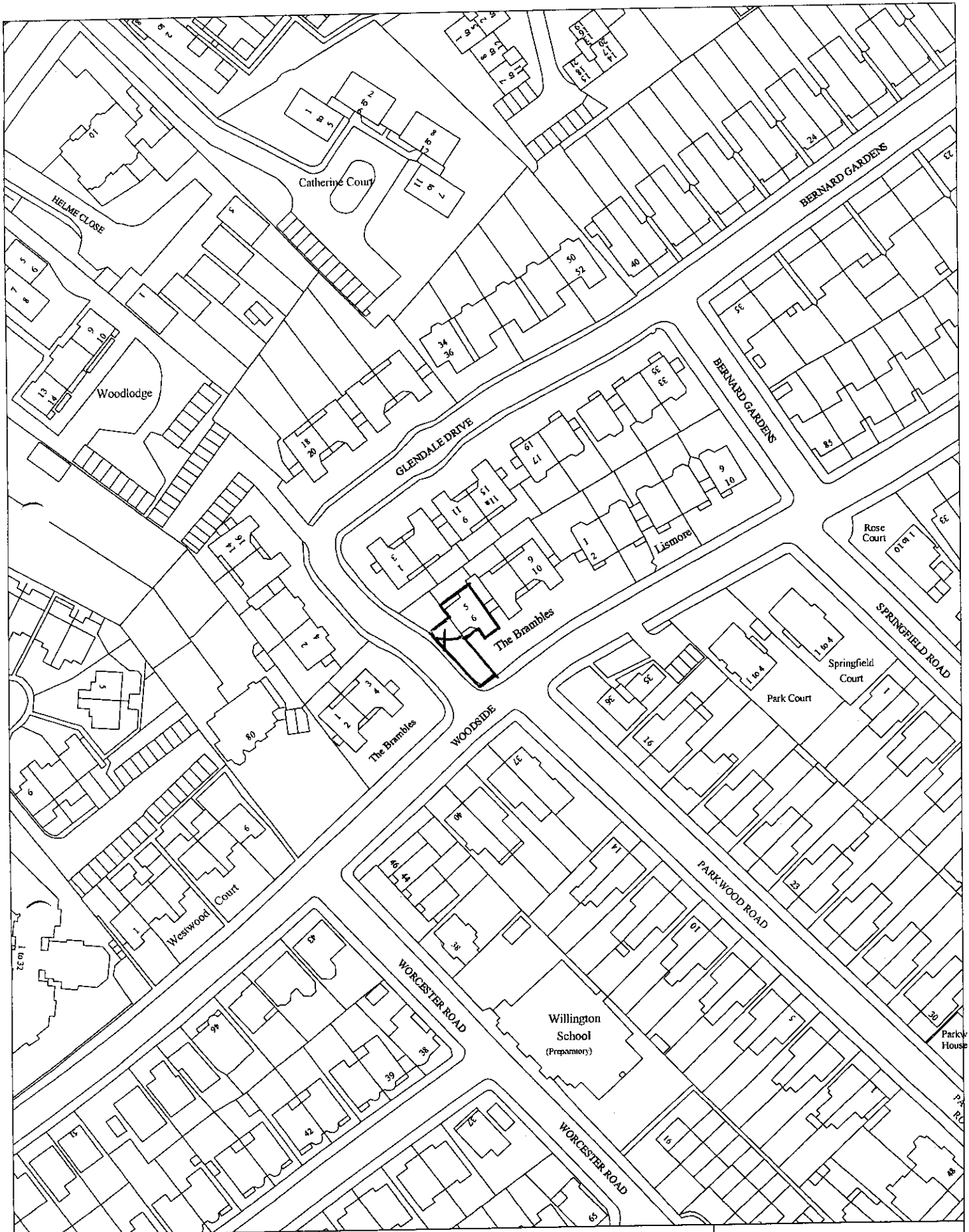
Julie Belvir, Head of Legal Services

London Borough of Merton
Legal Services Ref: SB/2002p1034
Merton Civic Centre
London Road
Morden Surrey
SM4 5DX
Ref: RJL/Legal/2003P346

YOUR RIGHT OF APPEAL

You can appeal against this Notice but any appeal must be received or posted in time to be received by the Secretary of State, that is, the Planning Inspectorate, before the date specified in paragraph 6 above.

The enclosed booklet, "Making your Enforcement Appeal" sets out your rights. You may use the enclosed appeal forms, one is for you to send to the Planning Inspectorate if you decide to appeal. The other is for you to keep as a duplicate for your own records and the last one is to send to the Council. You should also send the Planning Inspectorate the spare copy of this Notice which is enclosed.



LONDON BOROUGH OF MERTON
 Environmental Services Department

6 The Brambles Woodside SW19

Scale = 1: 1250

Date Printed: 19/08/03

