

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. 2

(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, the unauthorised material change of use of the Land from use as a dwelling house with ancillary off-street car parking space to a mixed use of dwelling house and use of a separate wooden building the approximate position of which is marked "X" 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 10 years.
- b) The separate wooden building looks like and appears to have been designed as a garage and is at the date of issue of this notice being used for the storage of motor vehicles and general storage. However, the building could also be used for a variety of different uses including residential and office accommodation.
- c) The unauthorised use is not suitable for this residential area.
- d) The wooden building is unsightly and constitutes an over dominant and visually intrusive form of development which is detrimental to the appearance of the Land and its use is harmful to the character and amenity of other residential properties in the locality and the surrounding area.
- e) The unauthorised use is contrary to the policies of the adopted Merton Unitary Development Plan (April 1996) in particular policies EB.17; EB.18; EB.19; EB.23; H1; H2 and H.22 and policies of the Second Deposit Draft Merton Unitary

- Development Plan (October 2000 as amended by Proposed Modifications June 2003) including policies HS.1: BE.22; BE.23 and BE.28.
- f) The unauthorised use is not Permitted Development pursuant to The Town and Country Planning (General Permitted Development) Order 1995.
 - g) The Council does not consider that planning permission should be given because planning conditions could not over come these objections to the unauthorised use.

5. WHAT YOU ARE REQUIRED TO DO

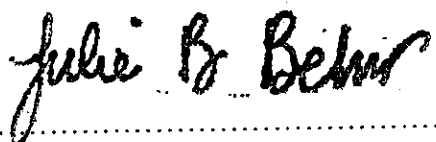
- (1) Cease to use the wooden building for the storage of motor vehicles and general storage.
- (2) Demolish and remove from the Land all materials and other items stored in the wooden building.
- (3) Demolish and remove the wooden building.
- (4) Restore the Land to its condition before the breach took place and reinstate the original off-street car parking space on the Land.
- (5) Remove all materials, tools and debris resulting from the demolition and removal of the wooden building from the Land.

Time for compliance: 3 months after this Notice takes effect

6. WHEN THIS NOTICE TAKES EFFECT

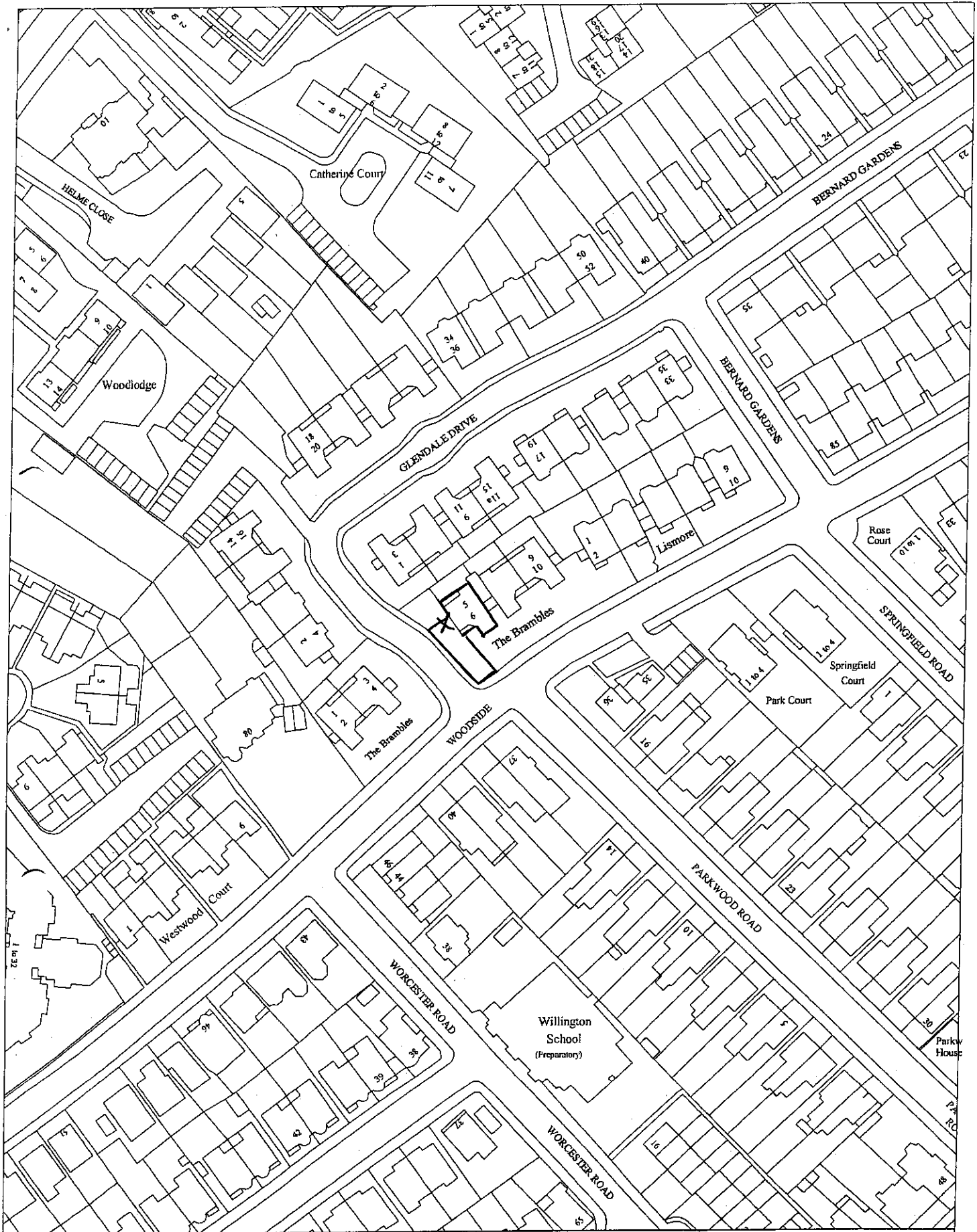
This Notice takes effect on the **8th October 2003** unless an appeal is made against it beforehand.

Dated the **20th 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



LONDON BOROUGH OF MERTON

Environmental Services Department

6 The Brambles Woodside SW19

Scale = 1: 1250

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