

**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 10 Thirsk Road Mitcham CR4 2BD 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 erection of a full width rear dormer window extension on the Land.

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 rear roof extension by virtue of its size form and design is considered to constitute a dominant and incongruous form of development which is detrimental to the character and appearance of the building and the surrounding area contrary to policies BE.16 BE.23 and BE.24 of the Merton Council Adopted Unitary Development Plan October 2003.

Copies of the above policies are attached.

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

- (a) Remove the rear dormer window extension and return the rear roof slope to its condition prior to the erection of the unauthorised development and
- (b) Remove all materials resulting from 5(a) above from the Land

Time for Compliance: within six months from the date this notice takes effect.

## 6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 21<sup>st</sup> November 2005 unless an appeal is made against it beforehand.

Dated: 19<sup>th</sup> October 2005

Signed.....



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: LE/TH/2005P117)

### 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/pcs](http://www.planningportal.gov.uk/pcs)). 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 **£220.00**. Half the fee is payable to the Planning Inspectorate and half to the Council. You should therefore include:  
One cheque for **£110.00** payable to The Office of the Deputy Prime Minister  
One cheque for **£110.00** 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.



**LONDON BOROUGH OF MERTON**  
**Environmental Services Department**

Civic Centre, London Road, Morden, Surrey, SM4 5DX  
 Telephone: 020 8543 2222 Web: [www.merton.gov.uk](http://www.merton.gov.uk)

**10 Thirsk Road**  
**Mitcham**  
**Surrey**

Scale = 1: 1250

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