

**CORPORATE SERVICES DEPARTMENT**  
Head of Civic & Legal Services – Keith Minear

National Westminster Home Loans Limited  
Mortgage Centre  
P.O. Box 12201  
Brindley Place  
Birmingham B2 2AG

**Civic & Legal Services**  
London Borough of Merton  
Merton Civic Centre  
Morden, Surrey SM4 5DX

*Direct Line:* 020 8545 3341  
*Email:* tim.hallam@merton.gov.uk

*Fax:* 020 8543 7126

*My Ref :* CS/LEG/TH/2005P117  
*Please Ask For:* Mr Hallam  
*Your Ref:*

*Date:* 2nd August 2005

**BY RECORDED DELIVERY**

**IMPORTANT:  
THIS COMMUNICATION  
AFFECTS YOUR PROPERTY**

Dear Sirs,

**TOWN AND COUNTRY PLANNING ACT 1990 SECTION 173A(1)(a)  
ENFORCEMENT NOTICE: LAND AT 10 THIRSK ROAD, MITCHAM  
CR4 2BD**

We refer to our letter of 12<sup>th</sup> July 2005 serving on you an enforcement notice of the same date relating to the above land.

In exercise of its powers under Section 173A(1)(a) of the Town and Country Planning Act 1990 as amended the Council hereby notifies you that the above mentioned enforcement notice has been withdrawn by the Council.

Please note that under Section 173A(4) of the Town and Country Planning Act 1990 as amended the withdrawal of an enforcement notice does not affect the power of the Council to issue a further enforcement notice.

Yours faithfully

**Tim Hallam**  
**For Head of Civic & Legal Services**



13 JUL 2005

# Memo

--	--	--	--

**merton**  
moving ahead



---

**To:** Lesley Westphal  
Planning and Public Protection  
13th Floor, Civic Centre

---

**From:** Tim Hallam  
For Head of Civic and Legal Services  
My reference: CS/LEG/TH/2005P117  
Ext: 3341

---

**CC:** Mark Pryjma  
Local Land Charges  
5th Floor, Civic Centre

---

**Date** 12th July 2005

## **ENFORCEMENT NOTICE: LAND AT 10 THIRSK ROAD, MITCHAM CR4 2BD**

Please find attached a copy of the Enforcement Notice issued today, which must be registered as a Local Land Charge.

Provided there is no appeal against the Notice, it will take effect on 12<sup>th</sup> August 2005 and the compliance period will expire six months thereafter.

The Notice has been served on all those parties with an interest in the property.

To defeat the possible claim that one or more of the parties did not receive the Enforcement Notice you may wish to serve additional Enforcement Notices by hand. If you wish to do this, please let me know and I'll put together an envelope containing the relevant documentation. You will then have to personally give it to the named individual or push it through the letterbox of the last known address of the individual, making a note of the time and date. You will then need to fill in a personal notice certificate.

**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 including the extension of both party walls 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 original condition 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 12<sup>th</sup> August 2005 unless an appeal is made against it beforehand.

Dated: 12th July 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/pes](http://www.planningportal.gov.uk/pes)). 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**

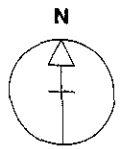
If you do not appeal against this enforcement notice, it will take effect on the date indicated above and you must then ensure that the notice is complied with. Failure to comply with an enforcement notice that has taken effect, is a criminal offence and can result in legal proceedings and/or remedial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

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

1. David James Lonsdale, Lonsdale Properties, 32 Northampton Square London EC1V 0ES
2. National Westminster Home Loans Limited of Mortgage Centre, P.O. Box 12201, Brindley Place, Birmingham B2 2AG
3. The Owner, 10 Thirsk Road, Mitcham CR4 2BD



TITLE NUMBER  
**SGL626925**



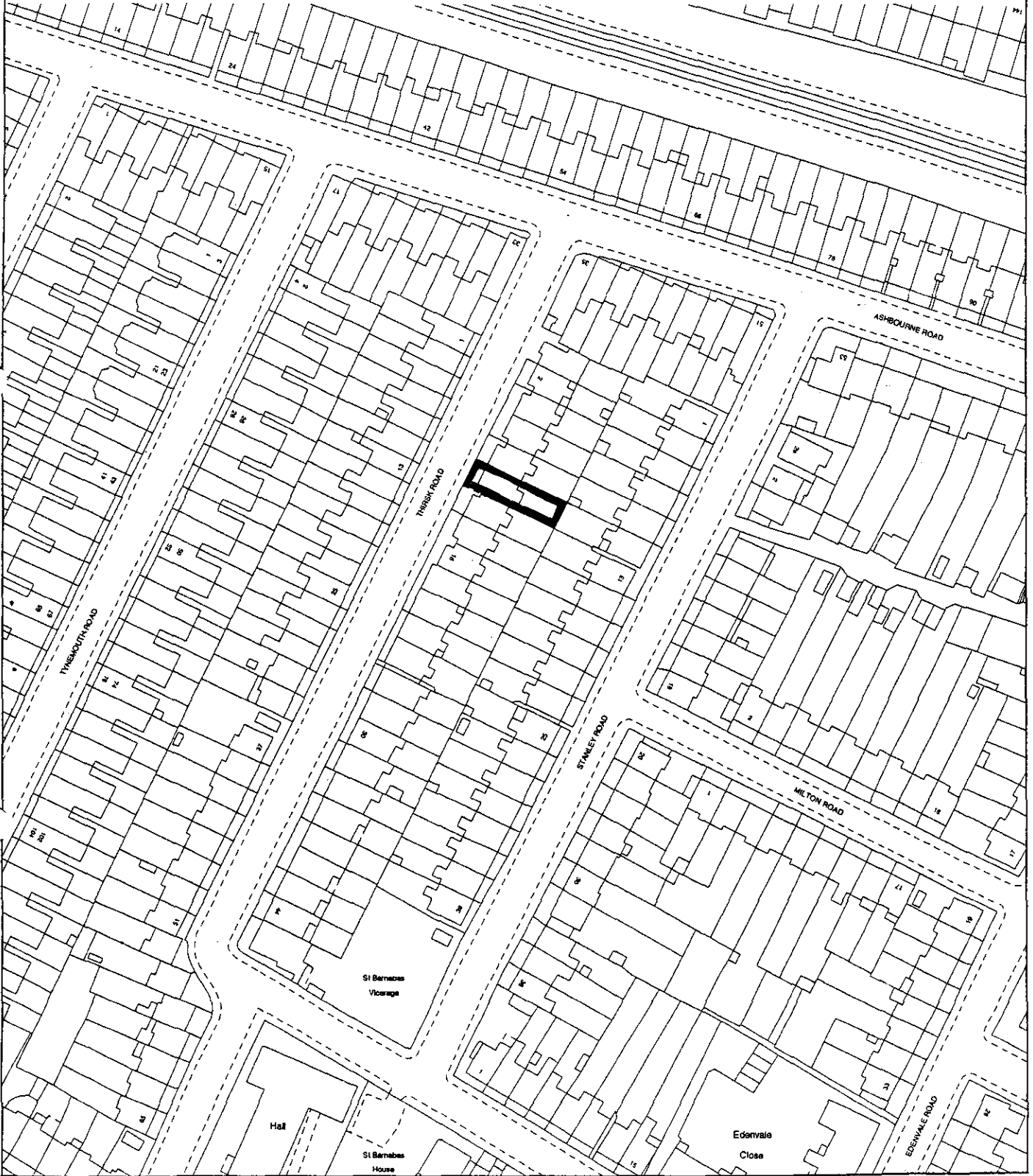
**MERTON**

ORDNANCE SURVEY MAP REFERENCE:

**TQ2870SW**

SCALE **1:1250**

©CROWN COPYRIGHT. Produced by HMLR. Further reproduction in whole or in part is prohibited without the prior written permission of Ordnance Survey, Licence Number GD 272728.



This title plan shows the general position of the boundaries: it does not show the exact line of the boundaries. Measurements scaled from this plan may not match measurements between the same points on the ground. For more information see Land Registry Public Guide 7 - Title Plans.

This official copy shows the state of the title plan on **16 June 2005 at 11:25:56**. It may be subject to distortions in scale. Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original. Issued on 16 June 2005.

This title is dealt with by the **Croydon District Land Registry**.

