

**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 18 Tonstall Road Mitcham Surrey CR4 2LR** 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 on the Land of a first floor side extension and a single storey rear extension.

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 unauthorised first floor side extension and single storey rear extension are both unsightly and considered to be harmful to the visual amenities of the original dwelling house, the surrounding properties and to the character and appearance of the street-scene.
- (c) The first floor side extension and single storey rear extension are contrary to the following policies of the London Borough of Merton Unitary Development Plan (October 2003):

BE.15: New Buildings and Extensions; Daylight, Sunlight, Privacy, Visual Intrusion and Noise.

BE.23: Alterations and Extensions to Buildings

Copies of the above-mentioned policies are attached.

- (d) The first floor side extension and single storey rear extension are contrary to the Council's Supplementary Planning Guidance Note: Residential Extensions, Alterations and Conversions.

A copy of the above-mentioned Supplementary Planning Guidance Note is attached.

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

- (a) Remove the unauthorised first floor side extension from the Land.
- (b) Remove the unauthorised single storey rear extension from the Land.
- (c) Remove from the Land all materials and debris resulting from compliance with (a) and (b) above.

**Time for Compliance: within three (3) months from the date this notice takes effect.**

**6. WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on 30 January 2006  
unless an appeal is made against it beforehand.

Dated: 19 December 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: CS/LEG/RO/2005P434)

**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.

