

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990

ENFORCEMENT NOTICE – MATERIAL CHANGE OF USE

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 **191-193 Western Road, Colliers Wood , CR4 3ED** , 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 change of use to the transfer and sorting of waste on the Land

4. **REASONS FOR ISSUING THIS NOTICE**

It appears to the Council that the above breach of planning control has occurred within the last ten years.

The bringing of waste materials onto the Land and the burning of waste, by virtue of the air and noise pollution and the loss of visual amenity causes serious harm to the amenity of neighbouring properties contrary to policies PE1, PE2 and PE10 of the London Borough of Merton Unitary Development Plan adopted October 2003

Copies of the above policies are attached.

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

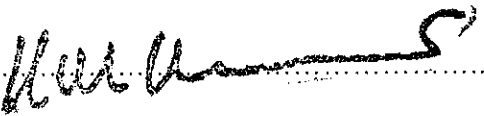
To cease the use of the Land for the transfer and sorting of waste and remove all waste, debris, equipment, fixtures and fittings associated with the unauthorised use.

Time for Compliance: **28 days** from the date this notice takes effect.

6. **WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on 11 August 2006 unless an appeal is made against it beforehand.

Dated: 7th July 2006

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, Civic Centre, London Road,
Morden, Surrey SM4 5DX
(REF: LE/SL//2005P658)

YOUR RIGHT OF APPEAL

You can appeal against this notice in writing to the Secretary of State, but any appeal must be received, or posted in time to be received, by the Planning Inspectorate before 11 August 2006. 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 complete the enclosed appeal forms and send a copy of each of the form and enforcement notice to the Planning Inspectorate and the London Borough of Merton. The other appeal form and enforcement notice are 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 **£530**.

Half the fee is payable to the Planning Inspectorate and half to the Council.

You should therefore include:

One cheque for **£265** payable to The Office of the Deputy Prime Minister

One cheque for **£265** 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. Mr Keith Hillman, 41 Bronson Road, London SW20 8DZ
2. Mr James Irwin Davis, 3 Kinnaird Avenue, Bromley, BR1 4HG
3. Gillian Irwin Davis, Kinnaird Avenue, Bromley, BR1 4HG
4. Gillian Irwin Davis, Lord's Cottage, Clapton On the Hill, Cheltenham, Glos, GL54 2LG
5. Mr Stuart Noel, 191 –193 Westrn Road, Colliers Wood, Surrey CR4 3ED
6. The Secretary, Alpha Skip Hire, 191-193 Western Road, Colliers Wood, Surrey, CR4 3ED
7. The Owner, 191-193 Western Road, Colliers Wood, Surrey, CR4 3ED
8. The Occupier, 191-193 Western Road, Colliers Wood, Surrey, CR4 3ED



LONDON BOROUGH OF MERTON
 Environmental Services Department

Alpha Skips
 191-195 Western Road
 Colliers Wood, CR4 3ED



Scale = 1: 500

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