

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 155 Canterbury Road Morden SM4 6QG 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 unauthorised development of an outbuilding to the rear of 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 outbuilding, by reason of its bulk, height and massing would be out of character with its surroundings, resulting in an unduly dominant form which would be visually intrusive to neighbouring occupiers, contrary to policy 7.6 of the London Plan (2016), policy CS 14 of the London Borough of Merton LDF Core Planning Strategy (2011) and policy DM D2 of Merton's Sites and Policies Plan (2014).

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

- (a) Demolish the unauthorised rear outbuilding.
- (b) Clear debris and all other related materials resulting from compliance with (a) above from the Land.

Time for Compliance: within two (2) months from the date this notice takes effect.

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 9 December 2019
unless an appeal is made against it beforehand.

Dated: 5 November 2019 Signed F. Howden
Assistant Director of Corporate Governance (Interim)
South London Legal Partnership

Address to which all communication should be sent:-
Head of Legal Services, South London Legal Partnership, Gifford House, 67c St Helier
Avenue, Morden, Surrey SM4 5DX (Ref: CS/LEG/RO/511/1027)

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 the notice takes effect. The enclosed Explanatory Note and Information Sheet set out the procedure to be followed if you wish to appeal.

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 **£412.00** that must be paid by way of a cheque made out 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. Adam Kolodziejcki, 155 Canterbury Road, Morden SM4 6QG
2. The Occupier, 155 Canterbury Road, Morden SM4 6QG
3. Bank of Scotland Plc, Birmingham Midshires Division, Pendeford Business Park, Wobaston Road, Wolverhampton WV9 5HZ

