

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED BY THE PLANNING AND
COMPENSATION ACT 1991)**

ENFORCEMENT NOTICE

MATERIAL CHANGE OF USE

ISSUED BY: THE LONDON BOROUGH OF MERTON ('the Council')

1. **THIS IS A FORMAL NOTICE** which is issued by the Council because it appears to them that there has been a breach of planning control, under section 171A(1)(a) of the above Act, at the land described below. They consider that it is expedient to issue this notice, having regard to the provisions of the development plan and to other material planning considerations. The Annex at the end of the notice contains important additional information.

2. **THE LAND AFFECTED**

Land and property at **18 Morton Road, Morden, SM4 6EF** showed edged red on the attached Plan 1 ("the Land")

3. **THE BREACH OF PLANNING CONTROL ALLEGED**

Without planning permission, a material change of use of the outbuilding on the Land as a residential unit ("the Outbuilding")

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 use of the Outbuilding as self-contained residential accommodation by reason of its design and layout fails to provide a satisfactory standard of accommodation due to inadequate room size, would result in a cramped and sub-standard form of accommodation due to its excessively small size, lack of natural lighting, lack of external refuse storage, and lack of private amenity space, contrary to the minimum gross internal area standards contained with table 3.3 of the London Plan - 2007, policy CS 14 of the London Borough of Merton Core

Strategy - 2011, and the Council's Supplementary Planning Guidance on Residential Extensions, Alterations and Conversions (November 2001).

- (c) The conversion of the small Outbuilding, by reason of the size of the Gross Internal Area, the layout of the accommodation would result in an unsatisfactory standard of residential accommodation to the detriment of the amenities of future occupiers and would be contrary to Policy 3.5 of the London Plan and policies CS 9, CS14 & CS 18 of the LBM Core Strategy 2011.

5. WHAT YOU ARE REQUIRED TO DO

- (a) Completely and permanently cease the use of the Outbuilding as a self contained residential unit.
- (b) Remove from the Land and lawfully dispose of all cooking facilities, kitchen units, sinks and appliances, fixtures and fittings facilitating the use of the Outbuilding as a self contained residential unit.

6. TIME FOR COMPLIANCE

Three calendar months after this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on **10th November 2016** unless an appeal is made against it beforehand.

Dated: **3rd October 2016**



Signed.....
Assistant Director of Corporate Governance
South London Legal Partnership
on behalf of the Council of the London Borough
of Merton

Address to which all communication should be sent:-
Paul Evans, Head of Legal Services, South London Legal Partnership, Gifford House, 67c St Helier Avenue, Morden, Surrey, SM4 5DX (Ref: CS/LEG/HB/511-690)

ANNEX

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 **£770** 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.

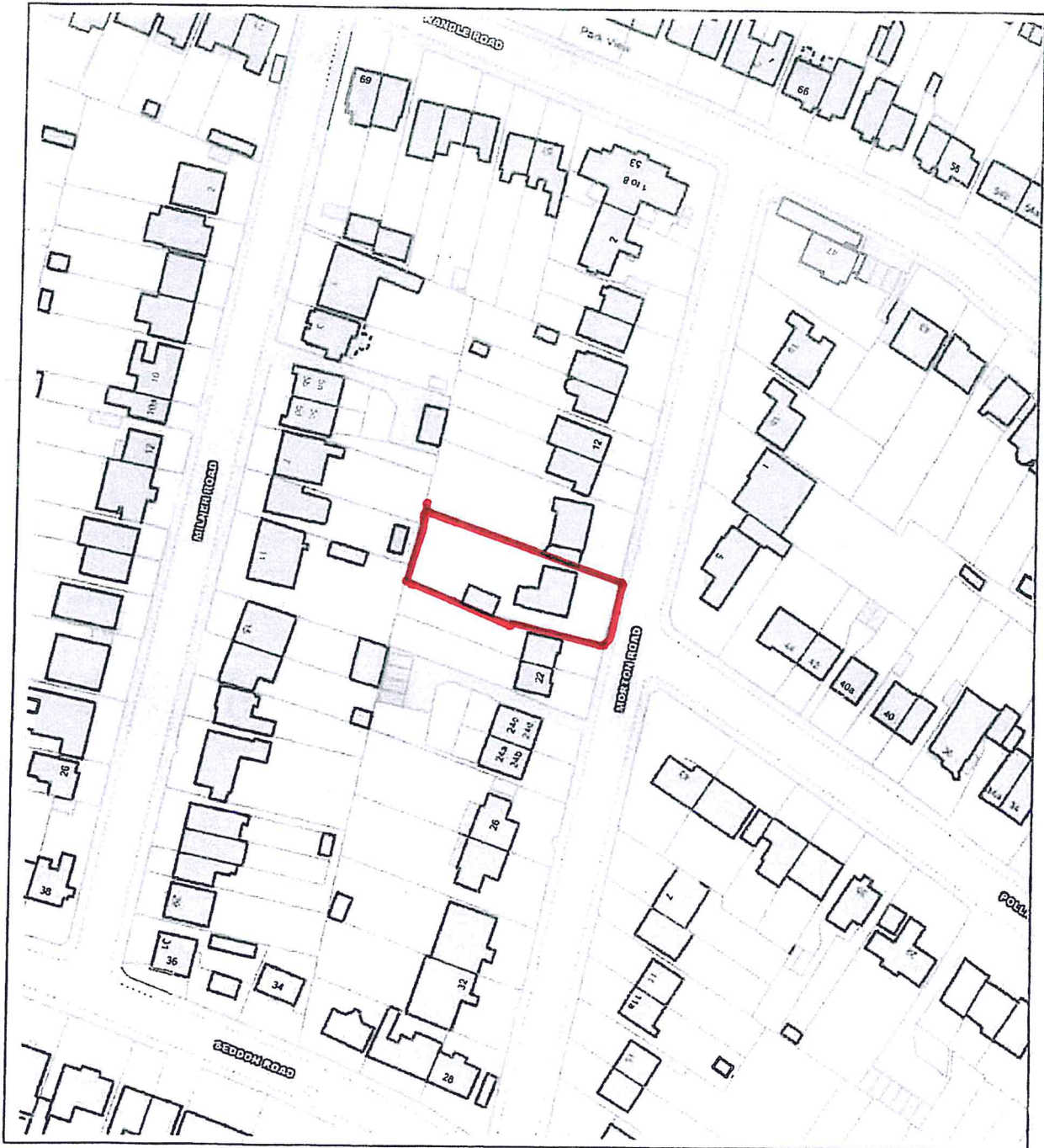
WHAT HAPPENS IF YOU DO NOT APPEAL

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. THE OCCUPIER of 18 Morton Road, Morden, SM4 6EF
2. THE OCCUPIER of the Outbuilding, 18 Morton Road, Morden, SM4 6EF
3. M K PROPERTY (LONDON) LIMITED of 18 Morton Road, Morden SM4 6EF
4. SHINHAN BANK of Third Floor, 51-55 Gresham Street, London EC2V 7HB

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