

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 20A Mitcham Park, CR4 4EG in the London Borough of Merton shown coloured green on the attached plan ('the Land').

3. **THE BREACH OF PLANNING CONTROL ALLEGED**
Without planning permission, the erection of a high fence at the front of the Land ("the Fence").

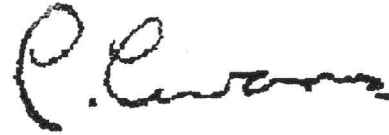
4. **REASONS FOR ISSUING THIS NOTICE**
 - (a) It appears to the Council that the above breach of planning control has occurred within the last four years.
 - (b) The fence virtue of its size, siting and design the development is considered visually obtrusive, incongruous and unsympathetic to the character and appearance of the dwelling, locality, and character of the area in general. Therefore, it is considered that the development conflicts with policies DM D2 and DM D3 of the Adopted SPP 2014, policy CS 14 of the LBM Core Strategy 2011 and policies 7.4 and 7.6 of the London Plan 2016.

5. **WHAT YOU ARE REQUIRED TO DO**
 - (a) Reduce any part of the Fence adjacent to the highway to a height not exceeding 1 metre.
 - (b) Remove all materials resulting from compliance with step 5(a) above.

Time for Compliance: within 1 month from the date this notice takes effect.

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on **10th April 2019** unless an appeal is made against it beforehand.



Dated: **8th March 2019**

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/511-951)

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** 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 OWNER / OCCUPIER of 20A Mitcham Park, CR4 4EG
2. LAURA KATHLEEN ORCHARD and SAMUEL OLIVER CADY FREEMAN of 20A Mitcham Park, Mitcham, CR4 4EG
3. ACCORD MORTGAGES LIMITED of Yorkshire House, Yorkshire Drive, Bradford BD5 8LJ
4. JEANETTE LILIAN MARJORAM, PETER FREDDERICK GEORGE MARJORAM and ALBERT THOMAS BRUCE PASK of 20 Mitcham Park, Mitcham, Surrey

If you believe that there is someone else who should be served with a copy of the enforcement notice/s please let that person and the Council know as soon as possible

NORTHGATE SE GIS Print Template



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