

**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 399 Hillcross Avenue Morden SM4 4BY 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, conversion of the property on the Land from a single dwelling into 4 x self-contained flats.
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 existing conversion of the property, results in the loss of a family sized unit (3 bed or more) and the existing conversion does not comply with the most appropriate minimum space standards; as such, the proposal would not comply with Core Strategy policy CS14 d(a) & d(b) i) & ii). The existing conversion of the property is contrary to London Plan policy 7.6, policy CS.14 of the Merton LDF Core Planning Strategy (2011) and The Residential extensions, alterations and conversions SPG 2001.
5. **WHAT YOU ARE REQUIRED TO DO**
  - (a) Revert the property to a single dwelling.
  - (b) Remove from the Land all materials and debris resulting from compliance with (a) above.

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

## 6. WHEN THIS NOTICE TAKES EFFECT

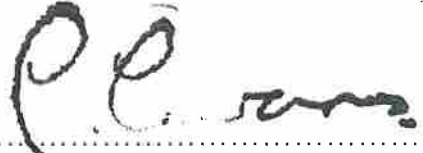
This notice takes effect on  
unless an appeal is made against it beforehand.

24 June

2019

Dated: 14 May 2019

Signed.....



Assistant Director of Corporate Governance  
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/511/965)

### 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 **£462.00** 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 Lekstan, 399 Hillcross Avenue, Morden SM4 4BY
2. Katarzyna Lekstan, 399 Hillcross Avenue, Morden SM4 4BY
3. The Occupier, 399 Hillcross Avenue, Morden SM4 4BY
4. Kensington Mortgage Company Limited, Ascot House, Maidenhead Office Park, Maidenhead SL6 3QQ

