

TOWN AND COUNTRY PLANNING ACT 1990

ENFORCEMENT NOTICE – OPERATIONAL DEVELOPMENT

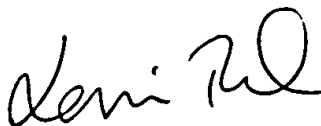
ISSUED BY: THE LONDON BOROUGH OF MERTON ('the Council')

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 all other material planning considerations.
2. **THE LAND AFFECTED**
52b Russell Road, Wimbledon, London, SW19 1QL shown edged red on the plan attached hereto ('the Land').
3. **THE BREACH OF PLANNING CONTROL ALLEGED**
Without planning permission and within the past four years the erection of 2m high timber fencing on all three sides of the front boundary of the Land ("the Fence").
4. **REASONS FOR ISSUING THIS NOTICE**
 - (i) It appears to the Council that the above breach of planning control has occurred within the last 4 years.
 - (ii) The fence by virtue of its size, siting and design 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 D1 and DM D2 of the Adopted Supplementary 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**
either:
 - (i) permanently remove the Fence; or
 - (ii) reduce the fencing to a height not exceeding one metre in height
 - (iii) remove all materials, fixtures, fittings and debris associated in compliance with the works steps 5(i) and 5(ii) above
6. **TIME FOR COMPLIANCE**
One calendar months after this notice takes effect.

7. **WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on **15th October 2021** unless an appeal is made against it beforehand.

Dated: **13th September 2021**



Signed.....

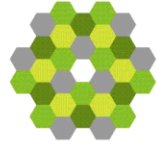
Assistant Director of Corporate Governance,
South London Legal Partnership on behalf of the
Council of the London Borough of Merton

Address to which all communication should be sent: -

Louise Round, Managing Director, South London Legal Partnership, Gifford House, 67c St Helier Avenue, Morden, Surrey, SM4 5DX (Ref: CS/LEG/HB/217-2093)

HM Land Registry
Official copy of
title plan

Title number **SGL661643**
Ordnance Survey map reference **TQ2570SW**
Scale **1:1250**
Administrative area **Merton**



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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 **£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 52 Russell Road, Wimbledon, London SW19 1QL
2. 52 RUSSELL ROAD RESIDENTS ASSOCIATION LIMITED of 52C Russell Road, Wimbledon, London, SW19 1QL
3. RENEE MISTY HAWKLESS of 52B Russell Road, London SW19 1QL
4. HSBC BANK PLC, 1 Centenary Square, Birmingham, B1 1HQ