

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990

ENFORCEMENT NOTICE – MATERIAL CHANGE OF USE

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 **6 Cartmel Gardens, Morden SM4 6QN**, 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 use of a side extension on the Land as a self-contained unit.

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 side extension as a self-contained unit would fail to meet the London Plan space standards. The self-contained unit would be contrary to the London Plan (2016) Policy 3.5, Merton Site's and Policies Plan (2014) Policy DM D2 and DCLG Technical Housing Standards (nationally described space standards) (2015).

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

- (a) Cease the use of the side extension on the Land as a self-contained unit.
- (b) Remove all those fixtures and fittings that facilitate the unauthorised use of the extension including the permanent removal of the facilities in use for cooking facilities, kitchen unit, sink, worktop, appliances, and food preparation areas.
- (c) Remove from the Land all materials, machinery, apparatus and installations used in connection with or resulting from compliance with step (a) and (b) above.

Time for Compliance: within three (3) months from the date this notice takes effect.

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 24 October
unless an appeal is made against it beforehand.

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Dated: 25 September 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 6HY (Ref: CS/LEG/RO/511/1000)

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. Yilei Song, 40 Camrose Close, Morden SM4 5DQ
2. Yilei Song, 6 Cartmel Gardens, Morden SM4 6QN
3. The Occupier, 6 Cartmel Gardens, Morden SM4 6QN
4. The Mortgage Works (UK) Plc, Nationwide House, Pipers Way, Swindon SN38 1NW

6 Cartmel Gardens, Morden SM4 6QN

