

**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 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 erection of a side extension on the Land not built in accordance with approved plans.

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 extension by the reason of its design, size and siting fails to respect the appearance, scale bulk, proportions and character of the original building and its surroundings to the detriment of the character and appearance of the Cartmel Gardens streetscene contrary to policy DM D3 in the Adopted Merton Sites and Policies Plan 2014.

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

- (a) Demolish the side extension.
- (b) Remove from the Land all materials and debris resulting from compliance with (a) 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 2019  
unless an appeal is made against it beforehand.

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 5DX (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 **£412.00** 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

