

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 **76 Shaldon Drive Morden SM4 4BH**, 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 conversion of the outbuilding on the Land to a self-contained residential 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 unauthorised development, by reason of its siting would result in a poor outlook for future occupiers as it would fail to offer adequate provision and access to outdoor amenity area. This would be contrary to the London Housing SPG, Policy DM D2 of the Merton's Sites and Policies Plan (2014) and Policy 3.5 of the London Plan.

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

- (a) Cease the use of the outbuilding on the Land as a self-contained residential unit.
- (b) Remove all those fixtures and fittings that facilitate the unauthorised use of the outbuilding including the permanent removal of the facilities in use for cooking facilities, kitchen units, sinks, worktops, 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 steps (a) and (b) above.

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

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on *16 September* 20 *19*
unless an appeal is made against it beforehand.

Dated: *14 August 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/511/996)

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. Mr Reza Saberi, 76 Shaldon Drive, Morden SM4 4BH**
- 2. The Occupier, 76 Shaldon Drive, Morden SM4 4BH**
- 3. Oakwood Home Loans Limited, 1 Providence Place, Skipton, N Yorkshire BD23 2HL**

