

**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 50 Durnsford Road, Wimbledon, London SW19 8HQ** 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 single storey ground floor rear extension on the Land.

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) Planning permission for the retention of the extension was refused on 30 April 2004.
- (c) The unauthorised extension, by reason of its siting, bulk, design and massing is an unsympathetic addition to the dwelling house on the Land and is harmful to neighbouring amenity, particularly by reason of loss of daylight and sunlight to neighbouring properties.

- (d) The unauthorised extension is contrary to the following policies of the London Borough of Merton Unitary Development Plan (October 2003):

BE.15 New Buildings and Extensions; Daylight, Sunlight, Privacy, Visual Intrusion and Noise

BE.16 Urban Design

BE.23 Alterations and Extensions to Buildings

Copies of the above policies are attached.

## 5. WHAT YOU ARE REQUIRED TO DO

- (a) Demolish and remove the single storey rear extension from the Land.
- (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 30 December 2004  
unless an appeal is made against it beforehand.

Dated: 18 November 2004

Signed:   
Head of Civic and Legal Services

Address to which all communication should be sent:-  
Head of Civic and Legal Services, London Borough of Merton, Merton Civic Centre,  
London Road, Morden, Surrey SM4 5DX (Ref: CR/LEGAL/RO/2004P391)

## 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 date this notice takes effect. The enclosed booklet "Making Your Enforcement Appeal" sets out your rights and the procedure to be followed. Read it carefully. You should also read sections 171-177 of the Act which are also enclosed. If you decide to appeal, you should complete the enclosed appeal forms and send a copy of each of the form and enforcement notice to the Planning Inspectorate and the London Borough of Merton. The other appeal form and enforcement notice are for your own records.

## 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 **£220.00**.

Half the fee is payable to the Planning Inspectorate and half to the Council.

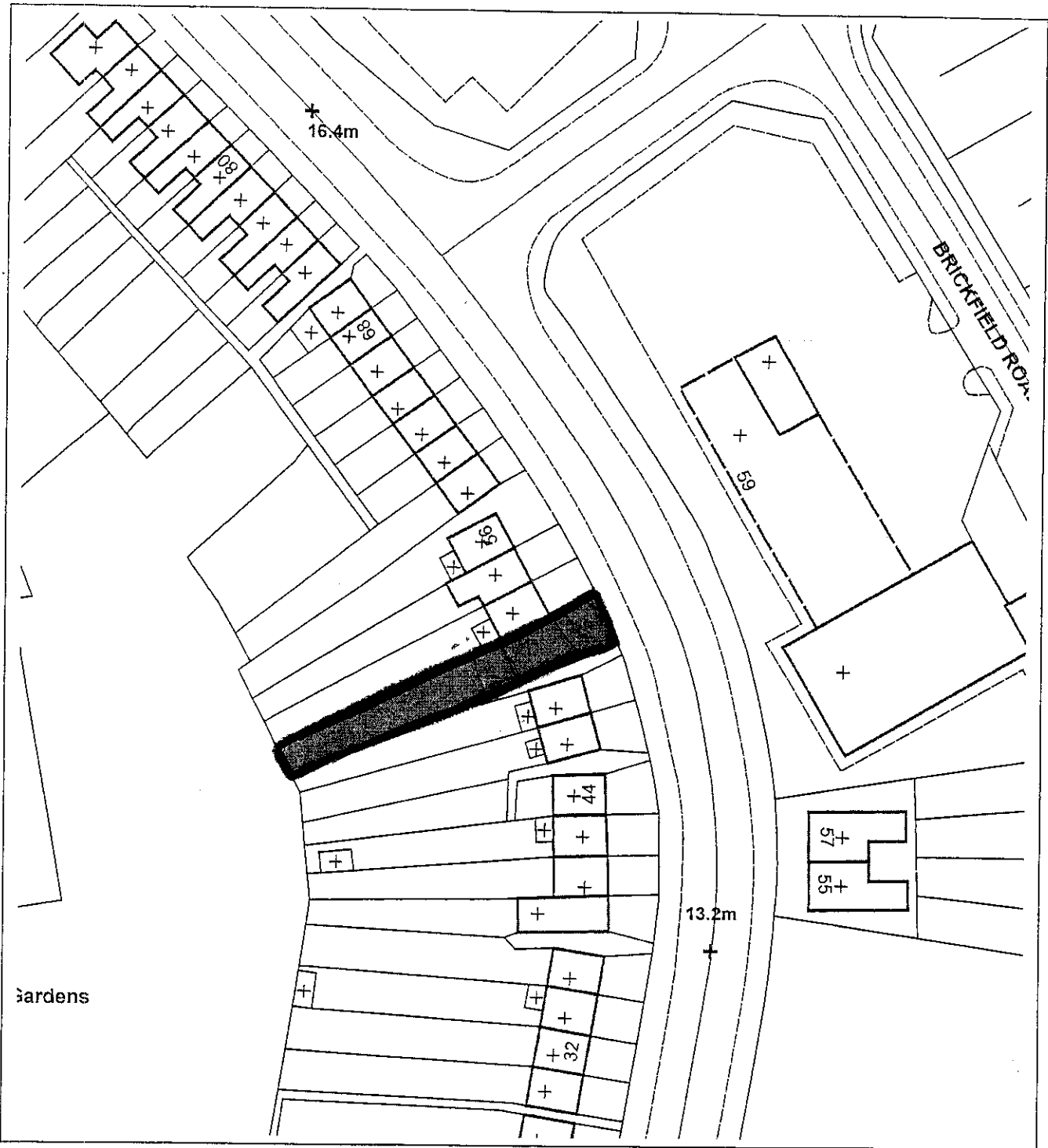
You should therefore include:

One cheque for **£110.00** payable to The Office of the Deputy Prime Minister

One cheque for **£110.00** payable to the London Borough of Merton

The fee can be sent with your appeal form.

# MVM SE GIS Print Template



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