

**BY RECORDED DELIVERY**  
**FAO Mr William Togher**  
BRIP0319 (KIDBROOK WIMBLEDON) LLP  
4 Waterside Way,  
Northampton  
NN4 7XD

Gifford House  
67c St Helier Avenue  
Morden SM4 6HY  
DX 161030  
Morden 3

*Direct Line:* 020 8545 3665  
*Fax:* 020 8545 3244  
*My Ref:* MK/511/1294  
*Your Ref:*  
*Date:* 23 May 2022

**IMPORTANT: THIS COMMUNICATION AFFECTS YOUR PROPERTY**

Dear Sir

**TOWN AND COUNTRY PLANNING ACT 1990 SECTION 187A**  
**BREACH OF CONDITION NOTICE: LAND AT 61a Worples Road, London**  
**(SW19 4LB).**

We have been instructed to serve the attached Notice relating to the failure to comply with conditions attached to the grant of Planning Permission specified in the attached Notice.

As the person responsible for failing to comply with the conditions specified you must comply with the steps specified in the notice within the time period specified. **There is no right of appeal against the Notice.**

Please note that failure to comply with the Notice within the time specified is a criminal offence for which you may be prosecuted.

Should you wish to discuss this matter please contact #, Planning Enforcement Officer, on [Luxmi.ghosh@merton.gov.uk](mailto:Luxmi.ghosh@merton.gov.uk).

Yours faithfully



by **Mustafa Khan**

for Managing Director of South London Legal Partnership

Louise Round

Managing Director of South London Legal Partnership  
E-mail: [Mustafa.khan@merton.gov.uk](mailto:Mustafa.khan@merton.gov.uk)

C:\Users\Kashmir Gosal\AppData\Local\Microsoft\Windows\NetCache\Content.Outlook\X14C4D3A\Letter ENcl BCN  
SLLP is a legal service provided by the London Boroughs of

MERTON KINGSTON RICHMOND SUTTON WANDSWORTH



**IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY**

**TOWN AND COUNTRY PLANNING ACT 1990**

**BREACH OF CONDITION NOTICE**

**TO: Mr William Togher**  
**Land at: SOUTHRIDGE HOUSE 61a WORPLE ROAD LONDON SW19 4LB**

ISSUED BY THE LONDON BOROUGH OF MERTON

1. **THIS IS A FORMAL NOTICE** issued by the Council under Section 187A of the above Act, because it considers that conditions imposed on a grant of planning permission relating to the land described below has not been complied with. The Council considers that you should be required to comply or secure compliance with the conditions specified in this notice.

2. **THE LAND AFFECTED**

**Land at** Southridge House 61a Worples Road London SW19 4LB shown edged red on the attached plan ('the Land').

3. **THE RELEVANT PLANNING PERMISSION**

Planning permission (Ref: 18/P4204) was granted by the Council on 22<sup>nd</sup> February 2019, subject to conditions.

A copy of the above mentioned planning permission is attached.

4. **THE BREACH OF CONDITION**

The following conditions, attached to planning permission reference 18/P4204 have not been complied with:

Condition 2

The development hereby permitted shall be carried out in accordance with the following approved plans:

The development hereby permitted shall be carried out in accordance with the following approved plans: D1000 Rev 00, D2100 Rev 02, D2101 Rev 02, D2102 Rev 02, D2103 Rev 02, D2104 Rev 02, D2199 Rev 01, D2500 Rev 02, D2501 Rev 02, D2700 Rev 02, D2701 Rev 02, D2702 Rev 02, D2703 Rev 02, D2800 Rev 00, Planning and Heritage Statement, Daylight and Sunlight Report, Arboricultural Method Statement, Sustainability Statement, Structural Construction Method Statement

Reason: in avoidance of doubt and in the interests of proper planning.

The metal balustrade, timber trellis and raised planters have not been installed to mitigate overlooking issues.

Condition 13

No development shall take place until a scheme of details of screening of the balcony/terraces has been submitted for approval to the Local Planning Authority. No works which are the subject of this condition shall be carried out until the details are approved and implemented in its approved form and those details shall thereafter be retained for the use at all times from the date of the first occupation.

Reason:

To safeguard the amenities and privacy of the occupiers of the adjoining properties and to comply with the following development plan policies DM D2, DM D3, of Merton's sites and policy Plan 2014.

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

As the person responsible for the breaches of the conditions specified in paragraph 4 of this notice, you are required to comply or secure compliance with the stated conditions by taking the following steps:

1. Implement conditions 2 and 13 under planning permission 18/P4204, approved drawings D2700 Rev 02, D2702 Rev 02, and D2703 Rev 02 and install the metal balustrade, timber trellis and raised planters to mitigate overlooking issues into neighbouring properties.
2. To use materials detailed and approved by the Local Planning Authority, under Discharge of Condition 13 ref: 19/P1283. The Details of balcony screening and boundary treatment are shown on approved drawing 600 P1 and 602 P1 dated March 2019.

Time for compliance: within 2 months after this notice is served on you.

**6. WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect immediately it is served on you.

Dated: 23 May 2022

Signed:..... 

.....  
Managing Director of South London Legal Partnership

Address to which all communication should be sent:-

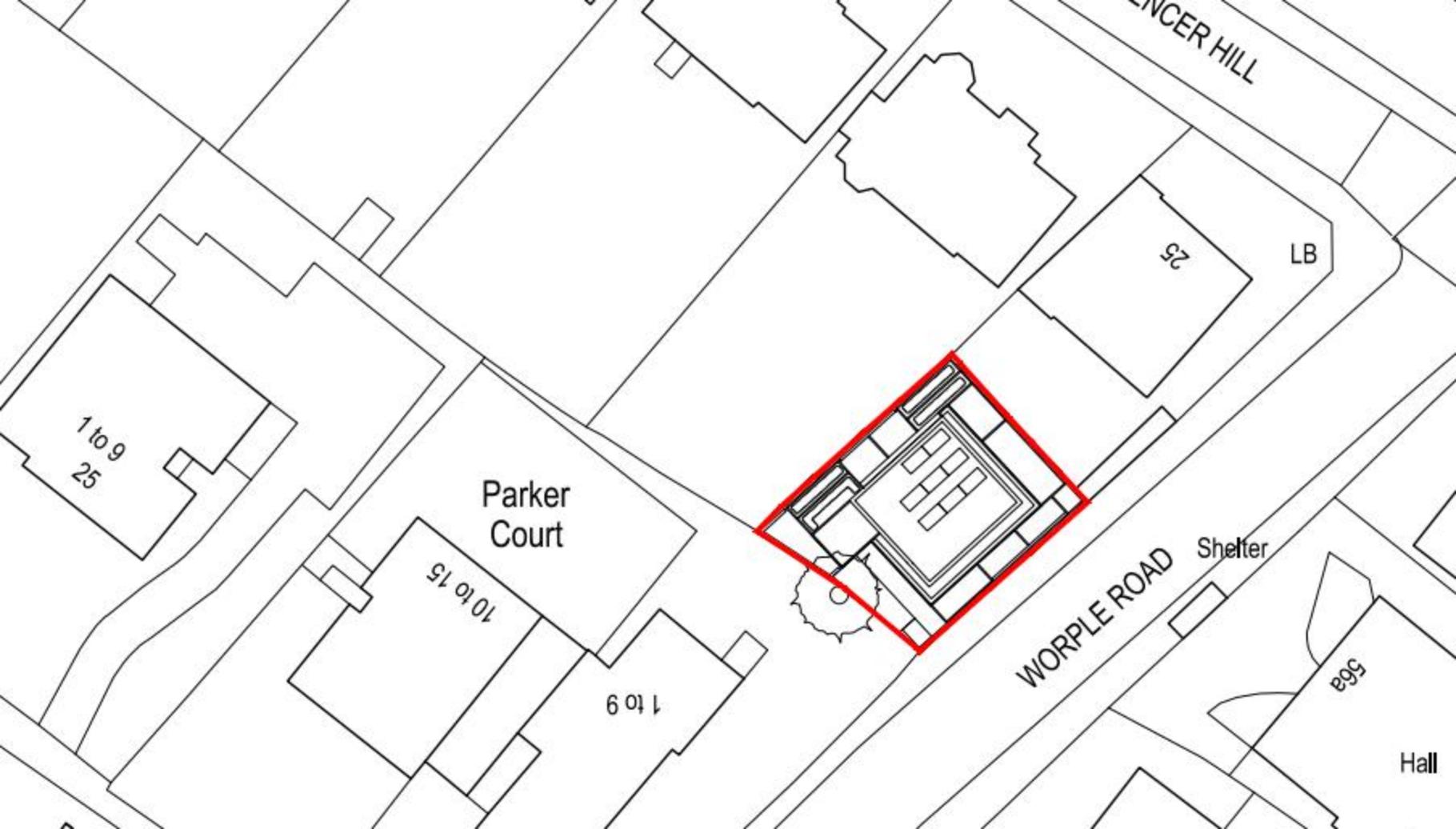
Head of Legal Services, South London Legal Partnership, 67c St Helier Avenue, Morden SM4 6HY (Ref: #)

**WARNING: THERE IS NO RIGHT OF APPEAL AGAINST THIS NOTICE**

It is an offence to contravene the requirements stated in paragraph 5 of this notice after the end of the compliance period. You will then be at risk of immediate prosecution in the Magistrates' Court for which the maximum penalty is £2,500 for a first offence and for any subsequent offence.

If you are in any doubt about what this notice requires you to do, you should contact the Council's Planning Enforcement Officer, [Luxmi.ghosh@merton.gov.uk](mailto:Luxmi.ghosh@merton.gov.uk)

If you do need independent advice about this notice, you are advised to contact urgently a lawyer, planning consultant or other professional adviser specialising in planning matters. If you wish to contest the validity of the notice, you may only do so by an application to the High Court for judicial review.



CANCER HILL

LB

25

1 to 9  
25

Parker  
Court

10 to 15

1 to 9



WORPLE ROAD

Shelter

56a

Hall