

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990
(as amended by the Planning and Compensation Act 1991)

ENFORCEMENT NOTICE

ISSUED BY: THE LONDON BOROUGH OF MERTON ('the Council')

1. **THIS IS A FORMAL NOTICE** which is issued by the Council because it appears to them that there has been a breach of planning control, under section 171(A)(1)(a) of the above Act, at the land described below. They consider that it is expedient to issue this notice, having regard to the provisions of the development plan and to all other material planning considerations.

2. **THE LAND AFFECTED**
The land known as 12A Deer Park Road, South Wimbledon, London SW19 3TL shown edged red on the plan attached hereto and is registered under Land Registry Title Number SGL335067 ('the Land').

3. **THE BREACH OF PLANNING CONTROL ALLEGED**
Without planning permission and within the last ten years the material change of use of the Land from of an industrial/office block to a 16 unit house in multiple occupation ("HMO").

4. **REASONS FOR ISSUING THIS NOTICE**
 - (i) It appears to the Council that the above breach of planning control has occurred within the last ten years.

 - (ii) The HMO, by reason of the nature of the residential use and its location within a Strategic Industrial Location would result in the unacceptable loss of the site for industrial purposes for which there is an identified need. The HMO use would therefore be contrary to policies D14, E4 & E5 of the London Plan 2021, policies DM.EP2 and DM.E1 of the adopted Merton Sites and Policies Plan 2014 and policy CS12 of the adopted Merton Core Strategy 2011.

 - (iii) The HMO by reason of its location, design and layout provide an unattractive, insecure and poor quality living environment whereby occupiers are susceptible to noise and fumes from nearby industrial premises with poor quality living and amenity facilities that are not fully integrated into any residential surroundings such as to be detrimental to the amenity of occupiers. The HMO therefore fail to accord with policies D3, D13 & D14 of the London

Plan 2021, policies DM D2, DM EP2, DM EP4, DM H2 & DM H5 of the adopted Merton Sites and Policies Plan 2014 and policies CS9 & CS14 of the adopted Merton Core Strategy 2011.

(iv) The HMO by reason of failing to provide any safe and secure facilities for the storage of bicycles, would fail to promote a healthy environment and more sustainable modes of transport contrary to the following Development Plan policies for Merton: Policy T5 of the London Plan 2021 and policy CS18 of Merton's Core Planning Strategy 2011.

5. WHAT YOU ARE REQUIRED TO DO

- (i) Permanently cease the use of the Land as a HMO; and
- (ii) Permanently remove from the Land both communal kitchens (including cookers and units) and all shared toilets and shower facilities associated with the unauthorised HMO.

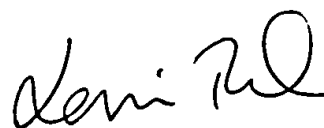
6. TIME FOR COMPLIANCE

Six (6) calendar months after this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on **2nd May 2022** unless an appeal is made against it beforehand.

Dated: **31st March 2022**



Signed.....

Assistant Director of Corporate Governance,
South London Legal Partnership on behalf of the
Council of the London Borough of Merton

Address to which all communication should be sent: -

Louise Round, Managing Director, South London Legal Partnership, Gifford House, 67c St Helier Avenue, Morden, Surrey, SM4 5DX (Ref: CS/LEG/HB/511-1274)

ANNEX

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** 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. Ruslan Aliyev, RNF International Ltd, 176 Devonshire Road, London W4 2AW
2. The Company Director, RNF International Limited, 5 Calico Row, Plantation Wharf London, SW11 3YH
3. Muquim Ud-din Ahmed, Quantum Securities Ltd, 16 Galleons View, 1 Stewart Street, London, E14 3EX
4. The Company Director, Quantum Securities Limited, 30th Floor, 40 Bank Street, Canary Wharf, E14 5NR

