

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 **25 Greenwood Close, Morden SM4 4HX** 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 unauthorised development of a rear canopy 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) The scale, form, design and position of the rear canopy extension is considered to have an undue detrimental effect on the character and appearance of the area and host building. The resultant depth of the canopy, in addition to the 6 metre deep extension, adds considerable bulk to the property. Therefore, the development does not comply with the principle policies DMD2 and DMD3 of the adopted SPP 2014, CS 14 of the LBM Core Strategy 2011 and 7.4 and 7.6 of the London Plan 2016.
- (c) The canopy by reason of its design, siting and scale results in an unreasonable sense of enclosure and is overbearing, causing material harm to occupiers at 24 and 26 Greenwood Close. Therefore, the development is contrary to London Plan (2016) Policies 7.4 and 7.6, Merton's Core Strategy Policy (2011) CS 14 and Merton's Sites and Policies Plan (2014) DMD2 and DMD3.

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

- (a) Demolish the unauthorised rear canopy extension.
- (b) Remove from the Land all materials, debris and related materials resulting from compliance with (a) 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 8 January 2020
unless an appeal is made against it beforehand.

Dated: 27 November 2019 Signed: F. Howden
Assistant Director of Corporate Governance (Interim)
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/511/1038)

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. Farah Nazir Ahmad, 12 Florence Avenue, Morden SM4 6EX
2. Farah Nazir Ahmad, 25 Greenwood Close, Morden SM4 4HX
3. The Occupier, 25 Greenwood Close, Morden SM4 4HX
4. Bank of Scotland Plc. Birmingham Midlands Division, Pendeford Business Park, Wobaston Road, Wolverhampton WV9 5HZ

