

TOWN AND COUNTRY PLANNING ACT 1990 ('the Act')
TEMPORARY STOP NOTICE
IMPORTANT -- THIS COMMUNICATION AFFECTS YOUR PROPERTY
LAND AT 8A-F SOUTH PARK ROAD, WIMBLEDON, LONDON, SW19 8ST (“the Land”)

SERVED BY: LONDON BOROUGH OF MERTON ('the Council')

To:

- (1) ELMDON REAL ESTATE LLP of 133 Hammersmith Road, London W14 0QL
- (2) ERE LLP, 113 Hammersmith Road, London, W14 0QL
- (3) MR SHARIF UDDIN, URM SERVICES LTD, 173 High Street, Beckenham, BR3 1AH

1 Issue of temporary stop notice

On 12th July 2022, the Council has issued this temporary stop notice alleging that there has been a breach of planning control on the land described in paragraph 4 below.

2 Prohibition of activity

This temporary stop notice is issued by the Council, in exercise of their power in section 171E of the Act, because they think that it is expedient that the activity specified in this notice should cease on the land described in paragraph 4 below. The Council now prohibits the carrying out of the activity specified in this notice. Important additional information is given in the Annex to this notice.

3 The reasons for issuing this notice

- (a) A breach of planning control has taken place as a result of the commencement of development works on the Land carried out prior to the discharge of condition 6 of planning permission granted by the Council bearing reference number 21/P3487 for the erection of an additional floor comprising 3 x self-contained residential flats (“the Planning Permission”).
- (b) The commencement of development works described in paragraph 5 below creates an amenity harm to the neighbouring occupiers with regards to noise, dust and general safety, the pedestrians and traffic flow on the highway, the appearance of the property and adjacent highway is a detriment to the visual appearance of the property and street scene as a result of the commencement of works and such are contrary to the following policies; DM D1 Urban design and the public realm, DM D2 Design considerations in all development, DM EP2 Reducing and mitigating noise, DM T2 Transport impacts

of development of the from the Merton Sites and policies Plan 2014; CS 20 Parking servicing and delivery of the Core planning strategy 2011 and D14 Noise, T4 Assessing and mitigating transport impacts and T7 Deliveries, servicing and construction of the London Plan 2021.

(c) For the reasons above it is considered expedient to serve a Temporary Stop Notice to remedy the breach of planning control identified

4 The land to which this notice relates

Land at 8A-F South Park Road, Wimbledon, London, SW19 8ST shown edged red on the attached plan.

5 The activity to which this notice relates

Breach of condition 6 of the Planning Permission.

6 What you are required to do

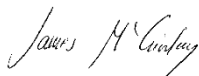
Stop all works relating to the roof, this includes the delivery of all materials, scaffolding and machinery, and incoming construction vehicles relating to said unauthorised works on the Land.

7 When this notice takes effect

This notice takes effect on 12 July 2022 when all the activity specified in this notice must cease. This notice will cease to have effect on 9th August 2022 or until the LPA has made an approval decision relating to the discharge of condition 6 of the Planning Permission and works are in complete accordance with this condition discharge (whichever is sooner)

Dated: 12th July 2022

Signed:



James McGinlay
Assistant Director for Sustainable Communities

On behalf of: The London Borough of Merton

Nominated Officer: Luxmi Ghosh

Telephone number of Nominated Officer: 020 8545 3160

ANNEX
WARNING

THIS NOTICE TAKES EFFECT ON THE DATE SPECIFIED IN PARAGRAPH 7.

THERE IS NO RIGHT OF APPEAL TO THE SECRETARY OF STATE AGAINST THIS NOTICE.

It is an offence to contravene a temporary stop notice after a site notice has been displayed or the temporary stop notice has been served on you (Section 171G of the Act). If you then fail to comply with the temporary stop notice you will be at risk of **immediate prosecution** in the Magistrates' Court, for which the maximum penalty is an unlimited fine on summary conviction for a first offence and for any subsequent offence. The fine on conviction on indictment before the Crown Court is unlimited. If you are in any doubt about what this notice requires you to do, you should get in touch **immediately** with *(council's nominated officer to deal with enquiries, address and telephone number)*.

If you need independent advice about this notice, you are advised to contact a lawyer, planning consultant or other professional adviser specialising in planning matters urgently. 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.