

**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 28 Oakleigh Way Mitcham CR4 1AL 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 conversion of the single-storey rear extension to the dwelling on the Land to a self-contained dwelling and the erection of a rear canopy attached to the single-storey rear extension.

**4. REASONS FOR ISSUING THIS NOTICE**

- (a) The conversion of the rear extension to a self-contained unit has taken place within the last 4 years.
- (b) The conversion of the rear extension to a self-contained unit, by reason of size and layout would fail to provide an acceptable standard of residential accommodation and living space resulting in a cramped and unsatisfactory standard of accommodation to the detriment of the amenities of future occupiers.
- (c) The conversion of the rear extension to a self-contained unit, does not provide sufficient secure, integrated, convenient and accessible cycle parking facilities, contrary policy T5 of the London Plan 2021.
- (d) The rear canopy attached to the rear extension by reason of its depth, scale and form would have a detrimental impact toward the host dwelling and surrounding character of the area. Therefore, the proposal fails to comply with the principles of Policies DM D2 and DM D3 of the Sites and Policies Plan 2014 and Policy CS 14 of the Core Strategy 2011.

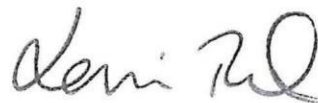
## 5. WHAT YOU ARE REQUIRED TO DO

- (a) Cease the use of the rear extension as a self-contained residential unit.
- (b) Remove all those fixtures and fittings that facilitate the unauthorised use of the rear extension including the permanent removal of the facilities in use including the kitchen facilities, including sink, cooker, hob, microwave and any other cooking or preparation of food facilities.
- (c) Completely remove the rear canopy attached to the rear extension.
- (d) Remove from the Land all debris and building materials resulting from the above works.

Time for Compliance: within three (3) months from the date this notice takes effect.

## 6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 13 October 2022 unless an appeal is made against it beforehand.



Dated: 13 September 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, Gifford House, 67c St Helier Avenue, Morden, Surrey SM4 5DX (Ref: CS/LEG/RO/511/1339)

### 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.

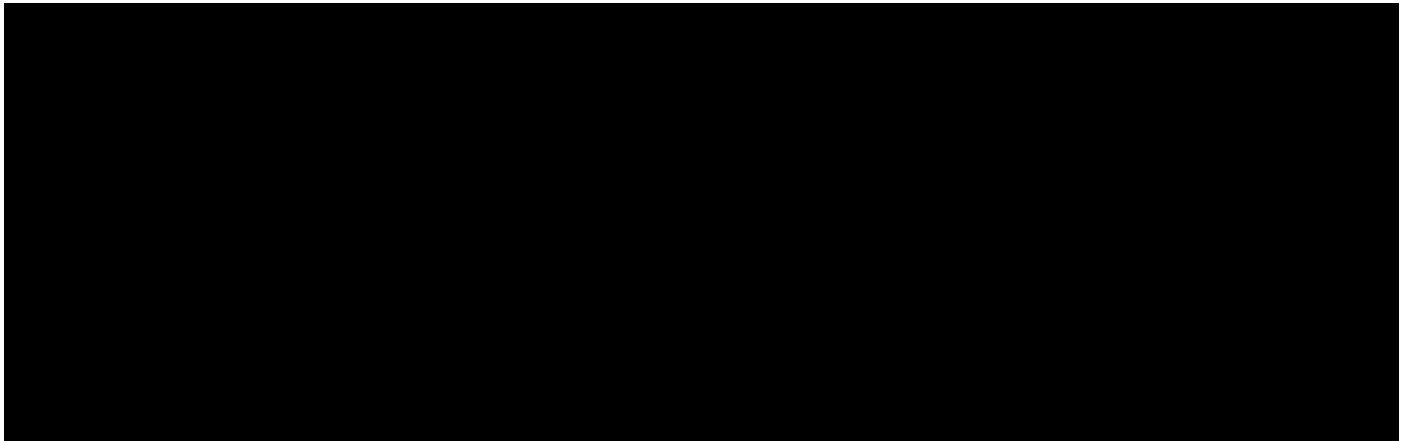
### FEE PAYABLE FOR THE DEEMED APPLICATION

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.

**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.

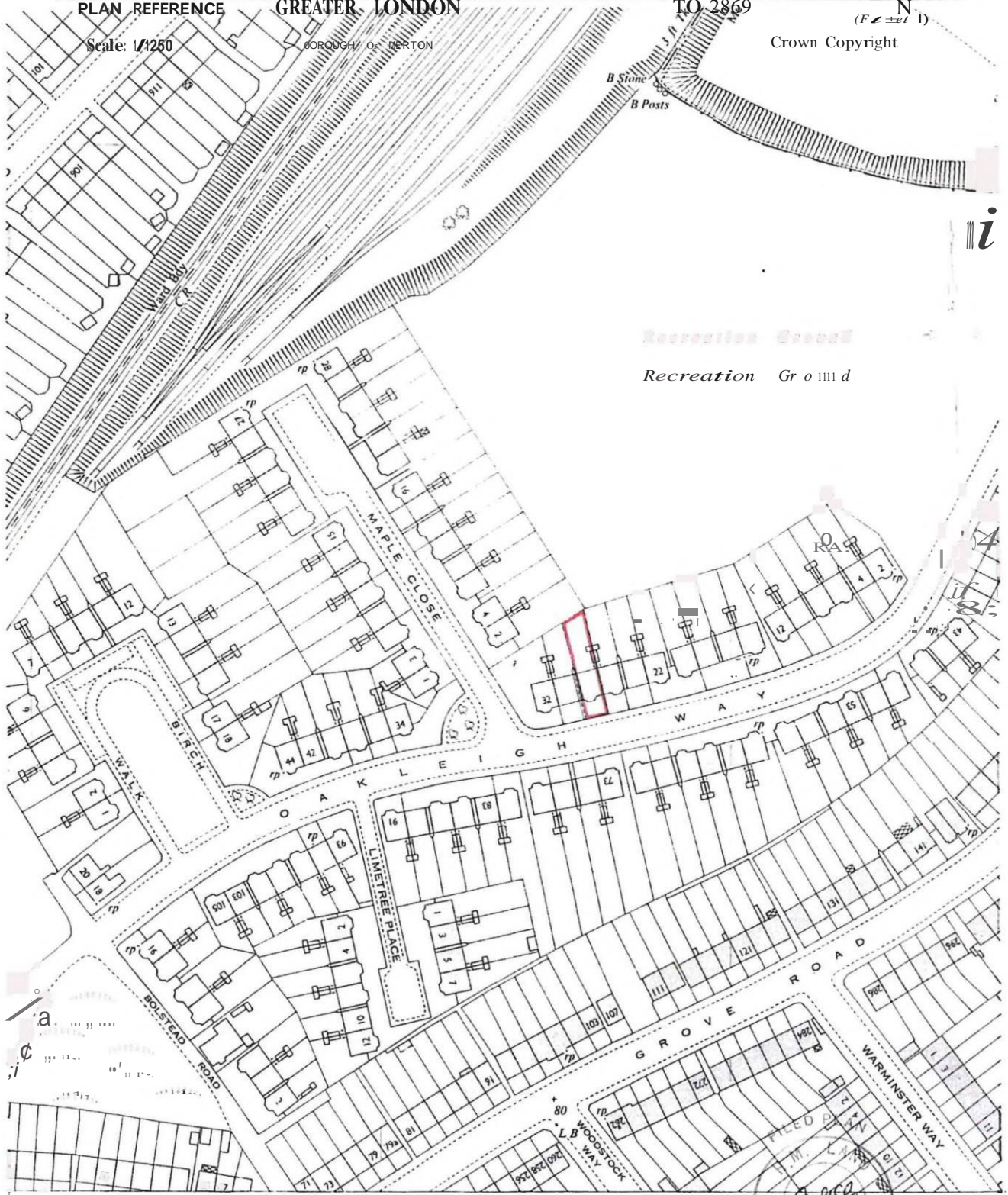
**PERSONS SERVED WITH A COPY OF THIS ENFORCEMENT NOTICE**





H.M. LAND REGISTRY		TITLE NUMBER <b>G: 657 0</b>	
ORDNANCE SURVEY		COUNTY	SHEET
PLAN REFERENCE		NATIONAL GRID	SECTION

Scale: 1/1250  
 GREATER LONDON  
 BOROUGH OF BERTON  
 TO 2869  
 N  
 (FZ ± 1)  
 Crown Copyright



*Arch*  
 8/80  
 REGISTRY

This is a print of the size of the title plan obtained from HM Land Registry showing the state of the title plan on 01 September 2025 at 11:41:33. This title plan shows the general position, not the exact line, of the boundaries. It may be subject to alterations in scale. Measurements taken from this plan may not match measurements taken from the same points on the ground.

This title is dealt with by HM Land Registry, Guyana Office.

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This is a print of the view of the title plan obtained from HM Land Registry showing the state of the title plan on 08 September 2022 at 11:12:52. This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground.

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