

IMPORTANT-THISCOMMUNICATIONAFFECTSYOURPROPERTY

TOWNANDCOUNTRYPLANNINGACT1990

ENFORCEMENTNOTICE-OPERATIONALDEVELOPMENT

ISSUED BY THE LONDON BOROUGH OF MERTON

Enforcement reference: 23/E0231

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 45 Gladstone Road, SW19 1QU in the London Borough of Merton shown edged red on the attached plan and is registered under Land Registry title number SGL296643 ('the Land').

3. **THE BREACH OF PLANNING CONTROL ALLEGED**

Without planning permission and within the last four years, the erection of a roof extension including a hip-to-gable, 2 rear dormers and the raising of the roof ridgeline.

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 and it is not immune from enforcement action.
- (b) The erection of a roof extension including a hip-to-gable, 2 rear dormers and raising of the roof ridgeline by reason of its scale, design, form and raising of the ridge height fails to preserve or enhance the adjacent Bertram Cottages Conservation Area and causes a harmful impact on the surrounding streetscene and character of the host dwelling. Therefore, the works are contrary to Core Strategy (2011) Policy CS14, London Plan (2021) Policy D4 and Merton Sites and Policies Plan (2014) Policies DMD2, DMD3 and DMD4.

5. WHAT YOU ARE REQUIRED TO DO

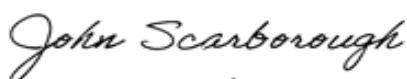
- (a) Permanently reduce the ridgeline to its original height prior to the breach of planning control as shown on the photo as appendix LBM1.
- (b) Permanently remove from the Land all materials, rubbish and debris associated with compliance arising from step 5 (a) above.

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

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on the 24th August 2024 unless an appeal is made against it beforehand.

Dated: 19th July 2024



Signed

Managing Director of South London Legal Partnership
On behalf of the Council of the London Borough of Merton

Address to which all communication should be sent:
Head of Legal Services, South London Legal Partnership, Merton Civic Centre, London Road, Morden, Surrey SM4 5DX (Ref: HB-511/1565)

YOURRIGHTOFAPPEAL

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.

FEEPAYABLEFORTHEDEEMEDAPPLICATION

If your ground of appeal is or includes ground (a) that planning permission should be granted, an appeal fee is payable, which is double that payable for a normal planning application. The total fee payable is £586.00.

Please email planenf@merton.gov.uk requesting instructions to pay or call 020 8545 3777 to make payment.

Joint appellants need only pay one set of fees.

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. EKATERINA MINYAEVA of 45 Gladstone Road, London, SW19 1QU.
2. PHILIPPE CHARLES HENRI FEZANS of 45 Gladstone Road, London, SW19 1QU.
3. THE OWNER/OCCUPIER of 45 Gladstone Road, London, SW19 1QU

AppendixLBM1



