

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990

ENFORCEMENT NOTICE – OPERATIONAL DEVELOPMENT

ISSUED BY THE LONDON BOROUGH OF MERTON

ENFORCEMENT REFERENCE: 22/E0320

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 7 Watery Lane, Wimbledon Chase, London, SW20 9AA in the London Borough of Merton shown edged red on the attached plan and is registered under Land Registry title number SGL11844 ('the Land').

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

Without planning permission and within the last four years, the following works have been undertaken:

- (a) Removal of the front double metal entrance gates ("the Gates")
- (b) Removal of decorative metal feature ("the Decorative Metal")
- (c) Partial removal of boundary wall fronting the highway ("the Boundary Wall")
- (d) Installation of the front hardstanding ("the Hardstanding") and removal of existing front lawn from the front curtilage

(and together called "the Development")

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 combined siting and design of the Gates and the Decorative Metal in the Boundary Wall, results in an unsympathetic and incongruous form of development that does not serve a public benefit. Furthermore, it gives rise to an increase in visual permeability into a predominantly hard surfaced area and thus fail to preserve or enhance the setting, character and appearance of the conservation area and the visual amenity of the locality. Therefore, the alterations to the Land referenced in this paragraph fail to comply with, in particular, Policies DMD2, DMD3, DMD4 of the Sites and Policies Plan 2014, Policy CS14 of the LBM Core Strategy 2011, and Policies D1 and D4 of the London Plan 2021 and the NPPF.
- (c) The installation of Hardstanding and the removal of the existing front lawn to the front curtilage hardscaping has resulted in the absence of sufficient drainage details are considered to potentially result in increase in flood risk in the locality and thus fail to demonstrate the compliance with the requirements set out in Policies DMD2, DMD3 of the Sites and Policies Plan 2014, and Policy SI13 of the London Plan 2021.
- (d) The Council does not consider that planning permission should be granted because planning conditions attached to any consent would not overcome these problems and because planning permission has already been refused under application 23/P0582 and dismissed on appeal under reference: APP/T5720/D/23/3329911.

5. WHAT YOU ARE REQUIRED TO DO

- (a) Restore the Land to its original condition prior to the breach of planning control by permanently reinstating the Gates, the Metal Feature and partially rebuilding the Boundary Wall fronting the highway, as shown in Appendix 2; and
- (b) Permanently remove the new Hardstanding and reinstate the front lawn as per drawing No.101 Rev A named 'existing front garden plan' as shown at Appendix 3.
- (c) Remove from the Land all materials associated with compliance with paragraphs 5(a) and 5(b) above.

Time for Compliance: within 1 month from the date this notice takes effect.

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on the 20th of November 2024 unless an appeal is made against it beforehand.

Dated: 16th of October 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: ABA-511/1592)

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, an appeal fee is payable, which is double that payable for a normal planning application. The total fee payable is £516.00.

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. MOEIN TAVAKKOLI of 65 Orbis Wharf, Bridges Court Road, London SW11 3GW.
2. BANK OF SCOTLAND PLC (Company Registration Number SC327000) of The Mound, Edinburgh, EH1 1YZ.
3. THE OWNER/OCCUPIER of 7 Watery Lane, Wimbledon Chase, London, SW20 9AA.

H. M. LAND REGISTRY GENERAL MAP

SURREY SHEET TQ 2469 SECTION P
NATIONAL GRID

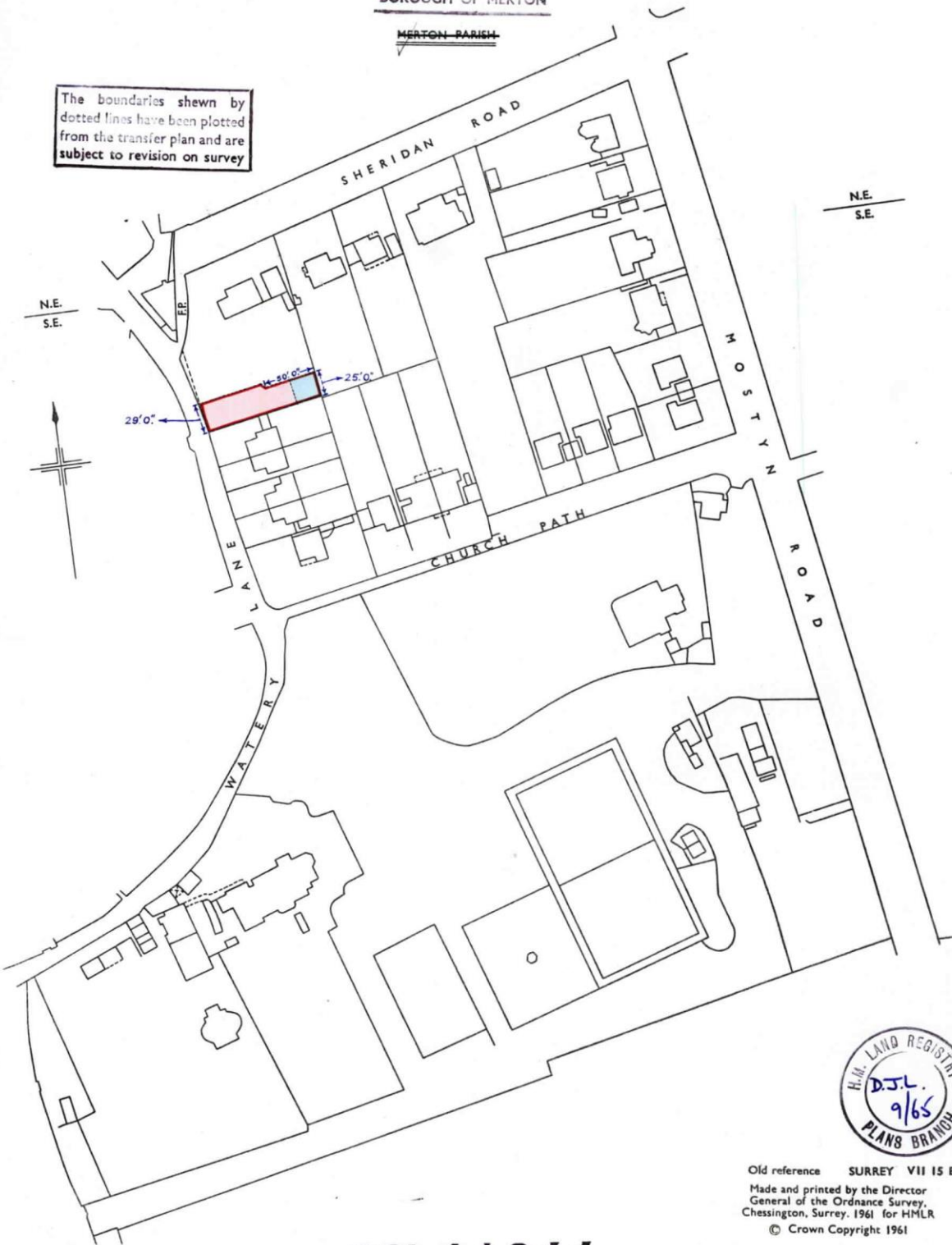
GREATER LONDON

Scale 1/1250

BOROUGH OF MERTON

MERTON PARISH

The boundaries shown by dotted lines have been plotted from the transfer plan and are subject to revision on survey



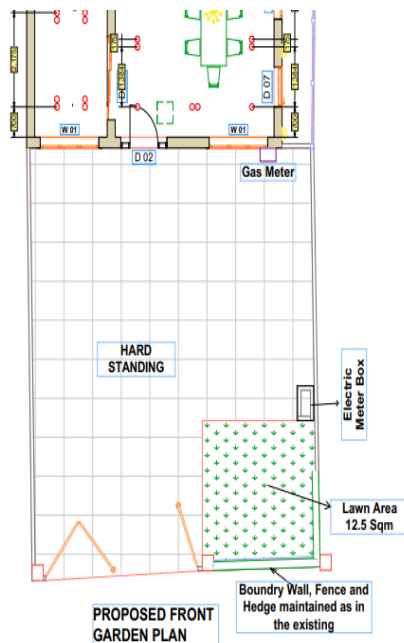
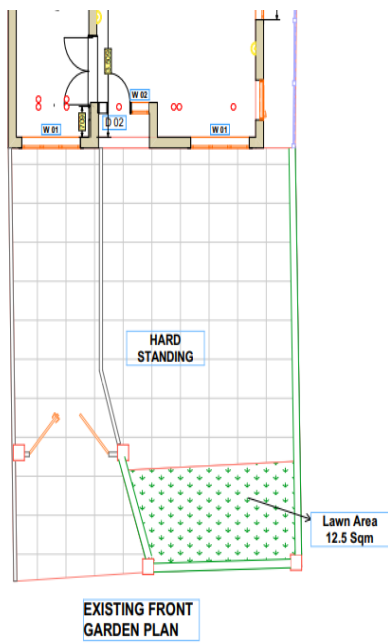
Old reference SURREY VII 15 BP
Made and printed by the Director
General of the Ordnance Survey,
Chessington, Surrey. 1961 for HMLR
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Filed Plan of Title No. **SGL 11844**

Appendix 2



Appendix 3



Tel: 07747 11021070 EMAIL: larchimedesdesignltd@gmail.com https://www.archimedesd.co.uk/		
Rev	Date	Details of Issue
STATUS		
Planning		
Site Address; 7 Watery Lane, SW20 9AA, London, UK		
Client Mr M Tavakkoli Ltd		
Project; SIDE EXTENSION		
Drawn	Date	Scale (At A3)
GP	04-Jun-2023	1:100
Dwg No.	Rev No.	
101	A	