



**PLANNING COMMITTEE 19/09/2005**

<b>ADDRESS:</b> 69-71 Lordship Road, London, N16 0QX	
WARD: Lordship (L)	REPORT AUTHOR: Jody Solomons
Enforcement	
OWNER/TENNANT:  Torah Etz Chaim 69-71 Lordship Road Stoke Newington London N16 0QX	AGENT: N/A
ALLEGED BREACH:	Unauthorised retention of Temporary Structure Portacabin (Breach of the Condition No1 of Planning Consent North/594/96/FP).
<b>RECOMMENDATION SUMMARY:</b> Serving of a Breach of Condition Notice	

**ANALYSIS INFORMATION**

ZONING DESIGNATION:

CPZ		YES
Conservation Area		NO
Listed Building (Statutory)		NO
Listed Building (Local)		NO

## **OFFICERS REPORT**

### **1. SITE DESCRIPTION:**

- 1.1 The property is known as 69-71 Lordship Road and is located on the western side of the street south of the junction with Lordship Park. The site is partially wooden and is currently occupied by a temporary classroom building and ancillary parking/ play areas. The building is used as an educational facility. Avigdor Primary School, 63-67 Lordship Road is located immediately to the south. The broader neighbourhood was developed in the mid to late 19<sup>th</sup> Century and contains fine Victorian houses. The site is adjacent to Lordship Park Conservation Area.

### **2. PLANNING HISTORY:**

- 2.1 18/05/1995 – North/230/94/C03 – erection of a single storey portacabin for use as a temporary classroom – planning permission granted.
- 2.2 06/03/1997 – North/594/96/FP retention of single storey portacabin in grounds of existing synagogue for a period of three years. Approved on the condition.
- “The building hereby permitted shall be retained for a limited period only until 4 March 2000 on or before which date the building(s) shall be removed, and the land restored to its former condition.”
- 2.3 17/09/2003 – Enforcement complaint received – This highlighted the construction of a permanent roof structure on the temporary building.
- 2.4 08/10/2003 – Site visit confirmed unauthorised works.
- 2.5 17/02/2004 – warning Letter – Threatened use of breach of condition Notice – no response.
- 2.6 08/10/2004 – second site visit established that no remedial works have taken place.

### **3. POLICIES:**

#### **Hackney Unitary Development Plan 1995**

- 3.1 EQ1 - Development Requirements.
- 3.2 CS10 - Planning Standards

#### **4. COMMENT:**

- 4.1 No attempt has been made to adhere to the condition of North/594/96/FP requiring the removal of the temporary structure within three years. The unauthorised school building is completely out of character with the surrounding residential area in terms of physical appearance. By its very nature the portacabin is completely inadequate in design terms for insertion into a predominantly Victorian environment. The materials, design, fenestration ect. are inappropriate. Unsightly air conditioning units are exposed on prominent facades including the front elevation. The existence of the structure results in substantial loss of amenity and is contrary to council policies EQ1 and CS10.
- 4.2 The addition of the roof does little to ameliorate the situation. The roof was constructed without planning permission and as such is unauthorised.

#### **5. CONCLUSION/ REASON FOR ENFORCEMENT :**

The unauthorised development of a temporary school building at no. 69-71 Lordship Road should have been removed before the 4<sup>th</sup> March 2000. The building has a detrimental impact on Local amenities.

Also the case has previously been to Committee and was deferred due to the members requesting a site inspection before coming to a decision. The breach is still active and the report is therefore being represented to the Planning Sub-Committee for a further debate and decision.

#### **6. RECOMMENDATION:**

- 6.1 **A:** That the Planning Committee considers it expedient to serve a Breach of Condition Notice under Section 187(A) of the Town and Country Planning Act 1990 (as amended) alleging that there has been a breach of planning control involving failure to comply with the details of the condition contained in Consent No; North/594/96/FP dated 6<sup>th</sup> March 1997.
- 6.2 **B:** The said Notice shall require the breach to be remedied within 3 months of the Notice taking effect by:
- The removal of the unauthorised structure.
- 6.3 **C:** That the Director of Law & Democratic Services be authorised to issue a Breach of Condition Notice in accordance with the provisions of Section 187(A) of the Town and Country Planning Act (as amended) to secure those matters outlined in Recommendation A and B above. In the

event of non-compliance with this notice, officers be authorised to take legal action under Section 179 or other appropriate power, and/or take Direct Action under Section 178 in order to secure cessation of the breach of planning control, for the reasons set out above.

**Signed..... Date.....**

**Tom McCourt  
ACTING DEPUTY DIRECTOR, ENVIRONMENT DIRECTORATE**

NO.	BACKGROUND PAPERS	NAME/DESIGNATION AND TELEPHONE EXTENSION OF ORIGINAL COPY	LOCATION CONTACT OFFICER
1.	North/230/94/C03	Jody Solomons (ext. 8108)	1 <sup>st</sup> Floor Dorothy Hodgkin House, Reading Lane E8
2.	North/594/96/FP	Jody Solomons (ext. 8108)	1 <sup>st</sup> Floor Dorothy Hodgkin House, Reading Lane E8