

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

**London Borough of Haringey
Planning Enforcement Section 188 Register**

Notice Summary

Notice Type: Enforcement Notice

Enforcement Notice Reference:

UNW/2021/00543

Case Officer:

Alan MacPherson

Address:

365 - 369 Green Lanes Hornsey London N4 1DY

Date of Issue: 27 July 2022

Date of Service: 4 August 2022

Summary of Breach

Without planning permission:

1. The alleged unauthorised erection of a single storey rear extension with a retractable roof
2. The alleged unauthorised use of the premises as a mixed use restaurant/shisha lounge (sui generis)
3. The alleged unauthorised installation of 12 canopies at first and second floor levels on the front elevation of the **building**

Requirements of the Notice:

1. Remove the single storey rear extension with a retractable roof in its entirety OR modify the development to accord with the approved drawings associated with planning permissions HGY/2019/2317 and HGY/2021/0293
2. Remove all resultant debris
3. Cease the mixed use of the premises as a restaurant/shisha lounge
4. Remove all canopies that have been installed at first and second floor levels on the front elevation of the property in their entirety

Time for compliance: 5 month(s) after this notice takes effect.

Date Compliance Required:

The Date on which Notice Takes Effect

8 February 2023

8 September 2023

S.174 Appeal or Postponement:

Withdrawal of Notice?

Date complied with:

Planning Service

Rob Krzyszowski Assistant Director Planning, Building Standards & Sustainability Service



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ENFORCEMENT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

ISSUED BY: London Borough of Haringey (herein after referred to as "the Council")

1. THIS IS A FORMAL NOTICE which is issued by the Council because it appears 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 that it is expedient to issue this notice, having regard to the provisions of the development plan and to other material planning considerations.

2. THE LAND AFFECTED

The land and building(s) known as 365-369 Green Lanes, London, N4 1DY, shown edged red on the attached plan ("the premises").

3. THE BREACHES OF PLANNING CONTROL ALLEGED

Without planning permission:

1. The alleged unauthorised erection of a single storey rear extension with a retractable roof
2. The alleged unauthorised use of the premises as a mixed use restaurant/shisha lounge (sui generis)
3. The alleged unauthorised installation of 12 canopies at first and second floor levels on the front elevation of the building

4. REASONS FOR ISSUING THIS NOTICE

- i. It appears to the Council that the above breach of planning control has occurred "within the last "FOUR / TEN years" and that steps should be taken to remedy the breach by Section 173 4(a) or to remedy any amenity or injury which has been caused by the breach.
- ii. The unauthorised single storey rear extension with a retractable roof, by virtue of its excessive size, scale, height, and unsympathetic design and the inappropriate materials that have been used in its construction has resulted in a visually unacceptable and overly dominant form of development and one that detracts from the character and appearance of the subject property as well as neighbouring properties and it is not in keeping with the existing pattern of development that

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prevails in the area. Furthermore, it also results in a loss of outlook for the occupiers of the residential flats who reside above the premises. Therefore, the development is contrary to the objectives of policy D3 of The London Plan 2021, policy SP 11 "Design" of the Haringey Local Plan 2017 as well as policy DM1 'Delivering High Quality Design' of the Haringey Development Management Development Plan Document 2017.

- iii. The unauthorised material change of use of the premises to a mixed use comprising a restaurant/shisha lounge has resulted in an unacceptable impact on the amenities of neighbouring residential occupiers, by reason of noise and general disturbance from the activities associated with the use during un-social hours, contrary to policy DM1 of the Haringey Development Management DPD 2017.
- iv. The unauthorised canopies that have been installed at first and second floor levels on the front elevation of the property by virtue of their unsympathetic design, inappropriate materials and prominent positioning result in an incongruous examples of development that have a detrimental impact on the aesthetics of the subject property, neighbouring properties as well as the wider streetscene. Therefore, the developments are considered to be contrary to the objectives of policy D3 of The London Plan 2021, policy SP 11 "Design" of the Haringey Local Plan 2017 as well as policy DM1 'Delivering High Quality Design' of the Haringey Development Management Development Plan Document 2017.

5. WHAT YOU ARE REQUIRED TO DO

1. Remove the single storey rear extension with a retractable roof in its entirety OR modify the development to accord with the approved drawings associated with planning permissions HGY/2019/2317 and HGY/2021/0293
2. Remove all resultant debris
3. Cease the mixed use of the premises as a restaurant/shisha lounge
4. Remove all canopies that have been installed at first and second floor levels on the front elevation of the property in their entirety

Time for compliance: 5 month(s) after this notice takes effect.

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 8 September 2022 unless an appeal is made against it beforehand.

Dated: 27 July 2022

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Rob Krzyszowski Assistant Director Planning, Building Standards & Sustainability Service

Haringey
LONDON

Signed:



Abiola Oloyede
Interim Team Manager - Planning Enforcement and Appeals
London Borough of Haringey
6th Floor River Park House
225 High Road
London N22 8HQ

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Rob Krzyszowski Assistant Director Planning, Building Standards & Sustainability Service



YOUR RIGHT OF APPEAL

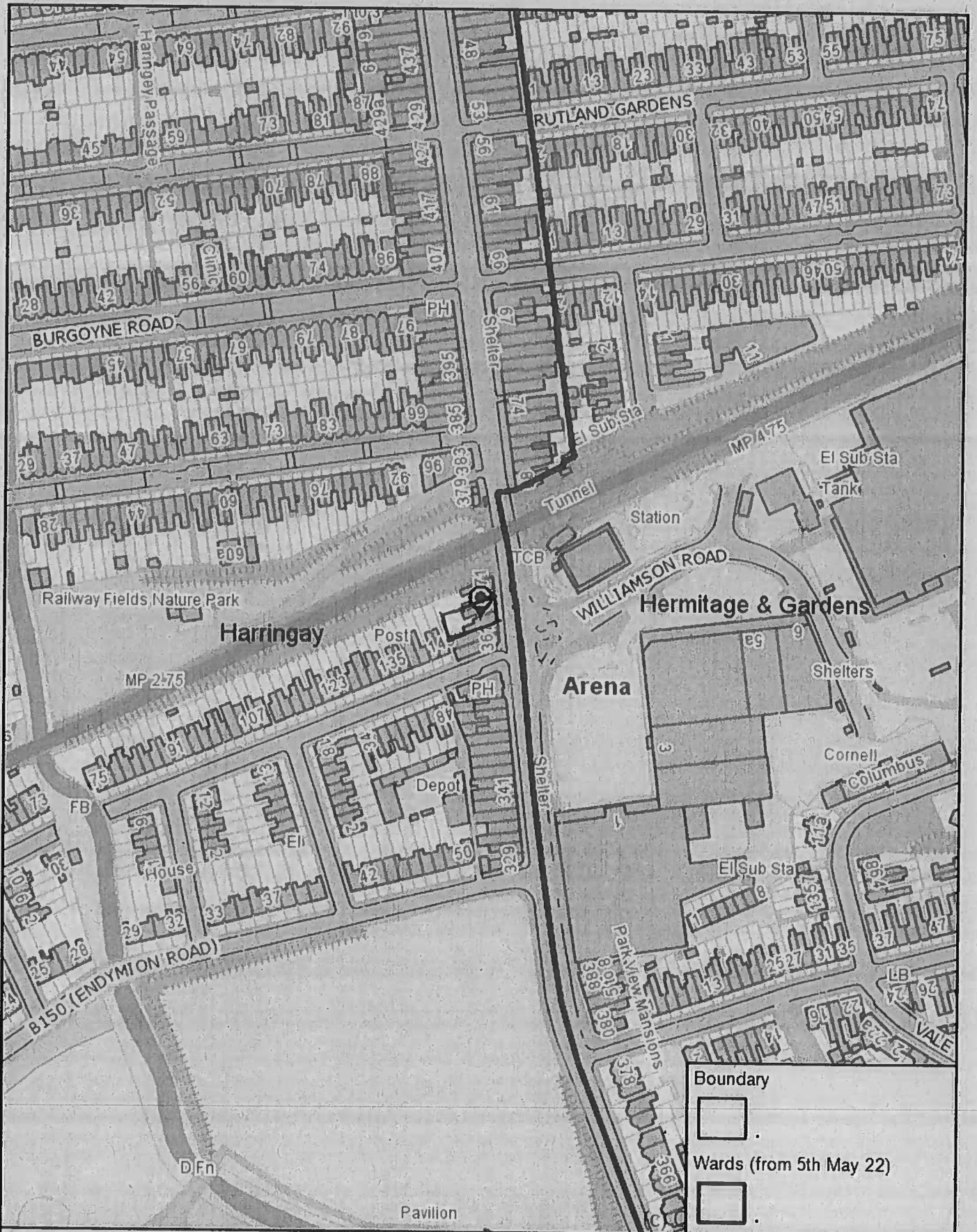
You can appeal against this notice, but any appeal must be received, or posted in time to be received, by the Secretary of State before 8 September 2022. The enclosed letter from the Planning Inspectorate sets out your rights and advises on the appeal procedure.

Under section 174 of the Town and Country Planning Act 1990 you may appeal on one or more of the following grounds that:

- A – That planning permission ought to be granted for what is alleged in the notice or, as the case may be, the condition or limitation ought to be discharged;
- B – That those matters have not occurred;
- C – That those matters, if they occurred, do not constitute a breach of planning control;
- D – That at the time the enforcement notice was issued, no enforcement action could be taken in respect of any breach of planning control which may be constituted by those matters;
- E – That copies of the notice were not served as per the requirements of s172 of the Town and Country Planning Act 1990;
- F – That the requirements of the notice exceed what is necessary to remedy any breach of planning control which may be constituted by those matters or, as the case may be, to remedy any injury to amenity which has been caused by such a breach;
- G – That any period specified in the notice in accordance with s173(9) of the TCPA 1990 falls short of what should reasonably be allowed.

WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this enforcement notice, it will take effect on 8 September 2022 and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the periods specified in the notice. Failure to comply with an enforcement notice which has taken effect can result in prosecution and/or remedial action by the Council.



365-369 Green Lanes, London, N4 1DY

N Scale: 1:2500

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Boundary



Wards (from 5th May 22)

