

<b>LDC Report</b>		19/11/2009
<b>Officer</b>		<b>Application Number</b>
Hannah Parker		2009/2419/P
<b>Application Address</b>		<b>Drawing Numbers</b>
114B Camden Street, Camden, London, NW1 OHY		See Decision Notice
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>Authorised Officer Signature</b>
<b>Proposal</b>		
Use of rear flat roof area as a terrace at mezzanine level to existing flat (Class C3)		
<b>Recommendation: Refer to Draft Decision Notice</b>		
<b>Assessment</b>		
Retention of a roof terrace at first floor level The evidence submitted <ul style="list-style-type: none"> <li>• External Site Plan dated 28/3/06</li> <li>• Floor plans</li> <li>• Statutory Declaration dated 19<sup>th</sup> January 2007–(indicates that on April 30<sup>th</sup> 2002 the roof terrace was in existence)</li> <li>• Building regulations – regularisation certificate dated 27<sup>th</sup> May 2009 (Compliant to building regulations)</li> <li>• Photo</li> <li>• Letter from the Camden Town District Housing Office providing Landlord’s retrospective consent for a roof terrace dated 21 December 2007</li> <li>• Letter from Home ownership Services regarding the proposed purchase of unauthorised roof terrace. (Planning Consent is required to obtain a retrospective licence for alterations and Supplemental Lease.) dated 19<sup>th</sup> June 2007</li> </ul> <p>The main piece of evidence submitted regarding obtaining the certificate of lawfulness was a statutory declaration from a past owner of the property. It stated that when they moved into the property on April 30<sup>th</sup> 2002 the roof terrace was in existence. There is no reason to dispute these claims as it appears that they no longer have any personal interest in the property.</p> <p>The building regularisation certificate for the replacement of old and rotten roof terrace handrails indicate that the roof terrace has been in existence for a substantial period of time.</p> <p>Under Section 191 of the Town and Country Planning Act 1991, the onus of proof of the lawful use of the property is on the applicant. From the information provided it is considered that enough information has been submitted in order to prove that the roof terrace has been in existence for a period of at least 4 years.</p> <p>Recommendation <b>Grant Certificate of Lawfulness</b></p>		

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