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| <b>LDC Report</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                            | <b>20/03/2007</b>                           |
| <b>Officer</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                            | <b>Application Number</b>                   |
| Hugh Miller                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                            | 2006/5213/P                                 |
| <b>Application Address</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                            | <b>Drawing Numbers</b>                      |
| The Lodge<br>Hylda Court<br>St Albans Road<br>London<br>NW5 1RE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                            | Site Location Plan; Letters numbered 2 - 18 |
| <b>PO 3/4</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <b>Area Team Signature</b> | <b>Authorised Officer Signature</b>         |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                            |                                             |
| <b>Proposal</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                            |                                             |
| Application for Certificate of Lawfulness for Existing / <del>Proposed</del> use or development for:<br>Certificate of lawfulness (existing) for the continued use of a garage roof as a patio and the installation of patio doors.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                            |                                             |
| <b>Recommendation : Refer to Draft Decision Notice</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                            |                                             |
| <b>Assessment</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                            |                                             |
| <p>The Lodge, the application building, comprises part single-storey (garages) and part 2-storey. It is located at the rear of Hylda Court a 5-storey residential block on the south side of St. Alban's Road.</p> <p>The proposal is seeking a Certificate of Lawfulness of Existing Use of a garage roof as a patio and the installation of patio doors at first floor level east side.</p> <p>The applicant has submitted the following written evidence in support of the application are:</p> <ol style="list-style-type: none"> <li>1. Letter dated 28 September 2006, from Crystal Windows &amp; Doors Ltd, Crystal House, Unit 1 King George Close, Eastern Ave. Romford Essex, RM7 7PN to Mr. Gunby of B. Bailey &amp; Co. of 118-120 Caranbrook Road Ilford Essex, IG1 4LZ. This letter states quote Agreement no. 7130. It confirms that they have installed six (6) upvc replacement windows and one set of sliding patio doors to the above property on 12<sup>th</sup> July 1997. (<u>Item no.1</u>)</li> <li>2. Letter dated 29<sup>th</sup> January 1996, ref. PG/lcn, from B. Bailey &amp; Co. at 199 Cranbrook Rd. The letter to J. Pennicard &amp; Co. Builders giving specification of works to The Lodge building. The letter gives detailed specifications of the works to be carried out such as ". provide and fit new UPVC double glazed door.' (page 2) <i>on the east elevation at first floor level accessed from the kitchen.</i> (authors). Page 7 shows a first floor plan, with the patio door opening. (Item no.3)</li> <li>3. Letter dated 11<sup>th</sup> March 1997, ref. PFG/pm to Nick Stanley, The Wm. Pears Group. It states para.3 that the double glazing costs also include the cost of providing doors which will include making the existing window opening wider than the existing. (<u>Item no.13</u>)</li> <li>4. Invoice dated 8<sup>th</sup> March 1997, 6054 from John Oddi (Builders), 62/64 Goodmayers Rd. Ilford Essex. It states that "<i>an additional costing to enlarge the existing flank window into a patio in order to provide access on to the roof of the adjoining garage which is to be used as a terrace</i>" Crystal Windows &amp; Doors Limited, a headed A4 paper attached which include a black &amp; white photo of The Lodge building. The photo shows two separate windows on the east flank wall at first floor level. (<u>Item no.14</u>)</li> <li>5. Letter dated 4<sup>th</sup> September 1997, ref. MB/gtw, from B. Bailey &amp; Co. at 199 Cranbrook Rd. The letter to Mr. J. Pennicard of J. Pennicard &amp; Co. Builders. The letter address poor workmanship in particularly gaps between the brickworks and the installed patio door and the need to repoint with mastic. (<u>Item no.5</u>).</li> </ol> |                            |                                             |

6. Bankway properties Ltd. dated 4th November 1997 showing the costs for services rendered in respect of overseeing works in respect of the Lodge premises, £2,114.06. (Item no.6)
7. Invoice no. 3242, dated 15<sup>th</sup> July 1997, John Oddi (Builders), 62/64 Goodmayers Rd. Ilford Essex. States that windows and doors supplied and fitted, total sum £2,555.62. (Item no.8)
8. Letter dated 8<sup>th</sup> July 1997, ref.PG/gtw, from B. Bailey & Co. at 199 Cranbrook Rd. to Nick Stanley, The Wm. Pears Group. Copy of planning application form, dated 28/6/1997. (Item no.11)
9. Letter dated 16<sup>th</sup> July 1997, ref. PFG/pm, from B. Bailey & Co. at 199 Cranbrook Rd. to Nick Stanley, The William. Pears Group. The letter states that before railings are fitted to the roof garden a planning application should be submitted. (Item no.10)
10. Invoice dated 23<sup>rd</sup> March 1997; quote 6087, from John Oddi (Builders), 62/64 Goodmayers Rd. Ilford Essex. States that the application premises were fitted out with new windows, including converting flank window into patio or french door set. VAT Reg. No.386 6609 06. (Item no.12)

## **Conclusion**

1. New patio doors: The submitted documents is sufficient to support the application that the alteration to form new patio doors at first floor level, east elevation, was carried out more than four years.
2. The submitted documents do not provide sufficient written evidence to support the application that the roof of the garage at first floor level has been use as a roof terrace continuously for the past four years. Moreover, only two of the submitted written documents make any reference to the garage roof as a 'roof garden'. The onus is on the applicant to prove that the use is lawful, and due to the lack of information to support that claim, the certificate cannot be issued.

Recommendation: Refuse.

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