

SMB Town Planning Ltd  
Symal House  
423 Edgware Road  
Colindale  
London  
NW9 0HU

Application Ref: **2016/6320/P**  
Please ask for: **Helaina Farthing**  
Telephone: 020 7974 **3303**

16 December 2016

Dear Sir/Madam

## DECISION

Town and Country Planning Act 1990

### **Certificate of Lawfulness (Existing) Granted**

The Council hereby certifies that on the 18 November 2016 the use described in the First Schedule below in respect of the land specified in the Second Schedule below, was lawful within the meaning of Section 191 of the Town and Country Planning Act 1990 as amended.

First Schedule: Creation of access onto the flat roof of the first floor to enable use as a terrace (no balustrade in situ).

Drawing Nos: Site Location Plan; EX-EL00; Report on the structural condition of the property from Owen Powell, Architects and Surveyors dated 22/07/2008; 'Sales particulars' for the property produced in 2008 by Dutch and Dutch (Property Advisers and Property Management); Sworn affidavit from Christein Koch dated 19/10/2016; Sworn affidavit from Michael Rossiter dated 19/10/2016; Sworn affidavit from ElfiPallis dated 25/10/2016; Sworn affidavit from Greg Pallis dated 25/10/2016.

Second Schedule:  
**15 Kylemore Road**  
**London**  
**NW6 2PS**

Reason for the Decision:



- 1 The operations were substantially completed more than four years before the date of this application.

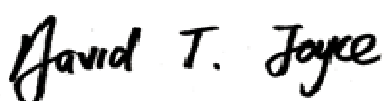
Informative(s):

- 1 Please be advised planning permission would be required for any balustrade.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully



David Joyce  
Executive Director Supporting Communities

Notes

1. This certificate is issued solely for the purpose of Section 191 of the Town and Country Planning Act 1990 (as amended).
2. It certifies that the matter specified in the First Schedule taking place on the land described in the Second Schedule would have been lawful on the specified date and thus, would not have been liable to enforcement action under Section 172 of the 1990 Act on that date.
3. This Certificate applies only to the extent of the matter described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any operations which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.
4. The effect of the Certificate is also qualified by the provision in Section 192(4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.