

**Statement for Certificate of Lawfulness for the address
6 Lyme Terrace, London NW1 0SN**



Lucia Pflucker Architecture Ltd on behalf of James and Lucy Lyon,
March 2017

My client, Mr James Lyon and his wife Lucy Lyon owners of 6 Lyme Terrace, would like to apply for a Certificate of Lawfulness with respect to the use of their property's existing Roof Terrace. This includes the access staircase to roof level, the metal railings with climbing plants surrounding the roof and the pergola with climbing plants that currently stands in the roof terrace. Prior to their purchase of the flat in 2006, the roof terrace was in use along with the structures mentioned above. This can be seen in the document attached to this application from the estate agent who sold my client the property in 2006. Since then the metal railings and planting have not changed. But when my client purchased the property they did some minor modifications to the pergola which was already in place.

My clients realized only recently that the roof terrace and its structures didn't have planning consent when the planners visited the property for some pre-application consultations and they noticed the roof terrace and said in their report: "Although the flat roof of the second floor roof extension is currently in use as a roof terrace, this does not benefit from planning consent". "As the current use of the roof as a terrace is in breach of planning, you may be liable for enforcement action, and it is therefore recommended that you cease the use of the roof as a terrace. However, if you are able to show that the roof terrace has been in use for more than four years and has thus become lawful over the passing of time, it is recommended that you apply for a Certificate of Lawfulness (Existing) to regularise the development".

As the use of the roof terrace along with the access staircase to roof level, the metal railings with climbing plants and the pergola with climbing plants was over 4 years ago as referred to the extract below of The Planning and Compensation Act 1991 - Time Limits, we therefore believe this development is immune and would like to receive certificate of lawfulness for this application.

The Planning and Compensation Act 1991

(1)Where there has been a breach of planning control consisting in the carrying out without planning permission of building, engineering, mining or other operations in, on, over or under land, no enforcement action may be taken after the end of the period of four years beginning with the date on which the operations were substantially completed.

(3)In the case of any other breach of planning control, no enforcement action may be taken after the end of the period of ten years beginning with the date of the breach.

Please refer to the attachments provided showing:

- The affidavit.
- Photographs of the roof terrace from the 2006 estate agent particulars when the property was purchased by James and Lucy Lyon.
- The September 2012 estate agent particulars from when the flat was rented out.
- Pictures in this document taken in November 2016 showing the roof terrace in its current state.
- The As Existing drawings (EX-04_Elevations_rev00, EX-05_Roof Plan and Sections_rev00).
- The Location Plan.

Upon receiving a Certificate of Lawfulness, my client would like to apply for planning permission for the installation of a home office (transparent glass box) at roof level.



The metal stair to access the roof terrace



View from across the canal



View from the roof terrace



View of the railings from the LGF garden



View from across the canal



View of the Pergola