

24 Harley Road, London, NW3 3BN – Certificate of Lawfulness

1.0 Confirmation of Information:

- 1.1 This application relates to the use of a flat roof to a private single-dwelling house as a terrace/ private amenity space and the presence of timber privacy screens to the terrace.
- 1.2 The use of the flat roof as a terrace commenced in 2009.
- 1.3 The privacy screens to the perimeter of the terrace were installed as the current arrangement prior to March 2011.
- 1.4 The use class of the property is C3a.
- 1.5 The flat roof has been in use as a terrace since before January 2009. This application is to certify the use of the terrace is lawful, due to this use of unobstructed activity having been in place for a period in excess of 8 years and 11 months – this period is more than the four years required for lawfulness to be proven.
- 1.6 The privacy screens to the terrace have been in place since before March 2011. This application is to certify the presence of these screens is lawful, due to these screens having been in place for a period of 6 years and 8 months – this period is more than the four years required for lawfulness to be proven.
- 1.7 Planning enforcement action has not been taken in this period.
- 1.8 Evidence that the flat roof has been in use as a terrace and the privacy screens in place for these periods is as follows:
 - A. The delegated report to a 2009 planning application (LB Camden Ref.2009/3112/P) specifically refers to the existence of the roof terrace, its use and the presence of screens. Page 3 of this report states *'During the officer's site visit for this application on 13/08/2009, it is noted that... the first floor terrace on the roof of the side extension has a timber structure and fencing.'* This document is attached. This proves that the flat roof was in use as a terrace with timber screens in place from this period, at least 8 years prior to this application.
 - B. A building contractor's invoice with description of works including the installation of the decking surface to the terrace, dated 15th January 2009. This document is attached with the relevant sections highlighted. It proves that the building works to which this application relates were complete at least 8 years and 11 months prior to this application.
 - C. A building contractor's invoice with description of works including the installation of the privacy screens to the terrace, dated 22nd March 2011. This document is attached with the relevant sections highlighted. It proves that the building works to which this application relates were complete at least 6 years and 8 months prior to this application.
 - D. Google Street View images record the presence of the privacy screens to the flat roof. Attached are images taken from street view that document; June 2008 building works to the property (during which the screens were installed), June

(Cont.)

2012 the screens in place, May 2014 the screens in place, July 2014 the screens in place, July 2016 the screens in place. These images are available to view on <https://www.google.co.uk/maps/place/Harley+Rd,+London+NW3+3BN/@51.5411697,-0.1701131,3a,75y,229.72h,83.18t/data=!3m7!1e1!3m5!1s7HhcYdYF0rg-gdtzh0syDQ!2e0!5s20120601T000000!7i13312!8i6656!4m8!1m2!2m1!1sharley+road!3m4!1s0x48761a93ff2294cd:0x33c94fbb24834a5a!8m2!3d51.5413165!4d-0.1703168> These images prove that the timber screens were in place from at least June 2012, at least 5 years and 6 months prior to this application

- E. A measured survey of the roof terrace including the privacy screens dated July 2012 (drawing Refs. 20541A/3, 20541A/7, 20541A/8/1, 20541A/8/2). These drawings are attached to this application. They prove the existence of the roof as a terrace and the privacy screens for a period of at least five years and five months.

1.9 The attached existing site plan, first-floor plan, section and elevation drawings illustrate the location of the terrace and the privacy screen locations and heights.

1.10 A certificate of the applicant's ownership is included with the online submission.

2.0 Conclusion

- 2.1 The evidence noted above demonstrates the building works to convert the flat roof into a terrace being 'substantially complete' 8 years and 11 months prior to this application. The roof has been used as a terrace by the current owner, unobstructed for this period.
- 2.2 The evidence noted above demonstrates the building works to install the privacy screens as they are currently being 'substantially complete' and in place 6 years and 8 months prior to this application.
- 2.3 Both of these periods are greater than the four years required for the terrace use and for the privacy screens to obtain lawfulness. We request that LB Camden confirm both these elements are therefore lawful.